

REPORT

8

OF THE

JOINT COMMITTEE

OF THE

SENATE AND HOUSE OF REPRESENTATIVES,

TO WHICH WAS

REFERRED SO MUCH OF THE GOVERNOR'S MESSAGE,

AS RELATES TO THE

ELECTION OF STATE PRINTERS.

Printed by order of the Senate of Pennsylvania, February 9, 1844.

HARRISBURG:

ISAAC G. M'KINLEY, STATE PRINTER.

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1844.

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REPORT.

The Joint Committee of the Senate and House of Representatives, to whom was referred so much of the message of the Governor as relates to the election of State Printer, &c., beg leave to report :

That in the exercise of the authority conferred by the resolutions of the Senate and House of Representatives, the committee proceeded, in the discharge of their duties, to send for and examine such witnesses and papers as were deemed essential to a proper investigation of the several matters of inquiry thus submitted. The examination of the witnesses having closed upon yesterday, it was

“Resolved, That the Chairman of the committee of the Senate, and the Chairman of the committee of the House of Representatives, report to their respective Houses the testimony taken before the committee, with the minutes and proceedings merely, without submitting any further report.”

In obedience to this resolution, the testimony taken before the committee, in connection with the minutes of their proceedings, is now reported and submitted to the deliberation and action of the Senate.

The committee submit the following resolution :

Resolved, That the committee be discharged from the further consideration of the subject.

B. CHAMPNEYS, *Chairman of Committee.*

January 31, 1844.

“IN SENATE, *January 6, 1844.*

“Mr. Sullivan, from the committee to arrange the several items of the Governor’s message, reported the following resolution, viz :

“Resolved, That so much of said message as relates to the election of State Printer, be referred to a select committee, to consist of five members ; (subsequently increased to six, to correspond with the House committee.)

“Which was agreed to ; and

“Ordered, That Messrs. Champneys, Hughes, Sullivan, Sterigere, Penniman and Sherwood, be said committee.”

Extract from the Journal.

“IN SENATE, *January 8, 1844.*

“Resolved, That the select committee already appointed by the Senate to take into consideration so much of the Governor’s message as relates to the State Printers, be instructed to act conjointly with the House committee, if the House shall concur, and that said committee have power to send for persons and papers.”

Extract from the Journal.

“IN THE HOUSE OF REPRESENTATIVES, *January 9, 1844.*

“Resolved, That so much of the Governor’s message as relates to the election of State Printers, the alleged frauds connected therewith, and the non-acceptance of the bonds of the persons claiming to be elected State Printers, be referred to Messrs. M’Fadden, Cooper, Maemanus, Dunlap, Roumfort and Evans, in conjunction with a similar committee of the Senate, already appointed, with power to send for persons and papers.”

Extract from the Journal.

SUPREME COURT ROOM, }
Thursday, January 11, 1844. }

At a meeting of the joint committee of the Senate and House of Representatives, to whom was referred so much of the message of His Excellency, the Governor of Pennsylvania, as relates to the election of State Printers, &c., held on the 11th day of January, A. D. 1844:

Present, of the committee of the Senate, Messrs. Champneys, Hughes, Sullivan and Sterigere; of the committee of the House of Representatives, Messrs. M'Fadden, Cooper, Macmanus, Roumfort, Dunlap and Evans.

On motion,

B. CHAMPNEYS, Esq. was appointed Chairman of the committee, and O. B. M'FADDEN, Esq. was appointed Secretary.

On motion of Mr. Roumfort,

Resolved, That this committee proceed to the election of a Secretary, whose duty it shall be to keep correct minutes of the proceedings of the committee, and to reduce to writing the testimony of the several witnesses who may be examined.

Jacob Zeigler was then nominated by Mr. Sterigere.

Jerome K. Boyer by Mr. Roumfort.

The name of Jacob Zeigler being withdrawn from nomination;

On motion, it was

Resolved, That Jerome K. Boyer be the Secretary of this committee.

On motion of Mr. Roumfort, it was

Resolved, That a letter be addressed to His Excellency the Governor of Pennsylvania, to be signed by the Chairman and Secretary of the committee, requesting the attendance of His Excellency at the next meeting of the committee, to be held at the Supreme Court Room, on Saturday, the 13th instant, at 3 o'clock, P. M. to state his knowledge in relation to the matter thus submitted to the committee.

On motion of Mr. Sullivan,

Resolved, That the Chairman of this committee is directed to issue subpoenas, with a clause of *duces tecum*, to Theophilus Fenn, Colin M'Curdy, Isaac G. M'Kinley, J. M. G. Lescure, P. C. Sedgwick, J. P. Anderson, Simon Cameron, G. D. Foreman, E. P. Hughes, Jacob Baab, Valentine Hummel, Jr., E. W. Hutter and Samuel Bigler, to appear before the committee at its next meeting.

On motion of Mr. Macmanus,

Resolved, That notice be given to Messrs. M'Kinley, and Hutter and Bigler, to appear before this committee at its next meeting, so as to enable them to be fully heard upon all the matters submitted to the committee.

It was moved by Mr. Roumfort,

That when this committee adjourns, it will adjourn to meet on Saturday next at 3 P. M.

A motion was then made by Mr. Sullivan,

To amend by striking out the words "on Saturday next at 3 P. M.," and inserting in lieu thereof, "to-morrow evening at 7 o'clock."

And on the question,

Will the committee agree so to amend?

The yeas and nays were demanded by Messrs. Sullivan and Hughes, and were as follow, viz:

YEAS—Messrs. Champneys, Sullivan, Hughes and M'Fadden—4.

NAYS—Messrs. Cooper, Dunlap, Macmanus, Roumfort and Evans—5.

So the question was determined in the negative.

And the resolution was adopted.

On motion,

Resolved, That the Sergeant-at-Arms of the Senate serve the subpoenas now ordered.

On motion,

The committee adjourned.

His Excellency D. R. PORTER, Governor of Pennsylvania:

SIR—At a meeting of the joint committee of the Senate and House of Representatives, held on the 11th instant, to whom was referred so much of your Excellency's message as relates to the election of State Printers, &c. it was, on motion,

••*Resolved*, That a letter be addressed to His Excellency the Governor of Pennsylvania, to be signed by the Chairman and Secretary of the committee, requesting the attendance of His Excellency at the next meeting of the committee, to be held at the Supreme Court Room, on Saturday, 13th inst. at 3 P. M., to state his knowledge in relation to the matters thus submitted to the committee."

This communication is made to your Excellency in obedience to said resolution.

We remain,

Very respectfully,

Your Excellency's obedient servants,

(Signed:)

B. CHAMPNEYS, *Chairman*.

O. B. M'FADDEN, *Secretary*.

Jan. 13, 1844.

A true copy from the original, which I handed to His Excellency at a quarter after ten o'clock.

E. CORNMAN, *Sergeant-at-Arms*.

SUPREME COURT ROOM, }
Saturday, January 13, 1844. }

Committee met pursuant to adjournment.

Present—Messrs. Champneys, Sullivan, Sterigere, Hughes, and Sherwood, of the committee of the Senate; and

Messrs. M'Fadden, Cooper, Macmanus, Dunlap, Roumfort, and Evans, on part of the House of Representatives.

On motion,

That part of the Governor's message in relation to the election of State Printer, the alleged frauds connected therewith, and the non-acceptance of the bonds of the persons claiming to have been elected State Printers, was read.

Sundry petitions referred in the Senate to the joint committee of investigation, praying that the printing might be given to the lowest bidder, were then laid before the committee by its Chairman.

John T. Adams, Esq. appeared as counsel for Messrs. M'Kinley, Hutter and Bigler, and presented the following memorial to the committee, signed Isaac G. M'Kinley:

To the HON. BENJAMIN CHAMPNEYS, *Chairman, and the gentlemen composing the Joint Committee of Investigation on the Public Printing.*

GENTLEMEN:—The memorial of the undersigned most respectfully represents :

That the Governor of the Commonwealth, in the exercise of his high prerogative of communicating to the two Houses of the Legislature, has seen fit, in his late annual mes-

sage, to charge upon the undersigned, and "other persons supposed to have influence with members of the Legislature," fraud and corruption in procuring his election, to the office of State Printer, on the 15th of April last. This charge, coming from a quarter apparently respectable, is of a most grave and serious character, and appears so to have been regarded by the two branches of the Legislature, by their selecting a joint committee to investigate and report the facts to the two Houses. It affects not only the moral character, standing and reputation of your memorialist; but if proved, subjects him to high penalties in law.

Your memorialist is deeply impressed with the magnitude and serious nature of the charges preferred, and of the power of his accuser, yet he most cheerfully begs leave to take issue with the Governor, and to plead his innocence of the charges preferred against him: and while he is most willing and anxious to defend himself in this issue, before your honorable committee, he would respectfully suggest, that in a trial of this matter, he cannot well defend himself, without your committee allowing to the investigation a broad basis; to include not only the motives that actuate the accuser, and his own guilt of the very crimes charged by him upon others, with the additional enormity, that he endeavored corruptly, to bring the influence and power of his station to bear directly upon the members of the Legislature, and by promises and threats, endeavored to sustain a combination formed by himself—all of which your memorialist deems necessary to be proved, in exculpation of the charges preferred against him.

Your memorialist cannot believe that your committee, or any portion of the representatives of the people, will suffer any one individual of the Commonwealth, however humble, to be unjustly borne down by oppression and power, and *ex parte* evidence of his guilt, procured by the influence of office, from interested and malicious sources, and placed upon the records of the country, there to stand and tarnish forever his name and reputation without his having a fair trial, and an opportunity to justify himself, and produce exculpatory evidence to stand by the side of that brought against him. Your memorialist wishes to meet his accuser face to face: that the witnesses for the accusation and the defence shall at the same time be at hand—that a fair trial be given, and that the accusatory and exculpatory evidence may go to the world together. It is believed that in that case one fact will be most apparent—that the witnesses for the accusation will be found either violent, personal or political enemies, whilst most of those for the defence will be from distant parts of the State—and disinterested.

Your memorialist feels his weakness in a contest with an executive officer of a great Commonwealth, who exercises the power and influence of his office to crush his enemies with an unscrupulous hand, yet he feels confident that he shall find a shield in the representatives of the people. He therefore, suggests to the honorable committee, that the shortness of the time since this investigation has been proposed, precludes the possibility of his being ready at once to meet it, particularly as his witnesses generally reside at a great distance from the seat of government. He believes his accuser to be actuated by private malice, and in the wanton and profligate exercise of his influence and power, has combined various elements of revenge and political opposition, at once to crush and overthrow the accused. He therefore, looks to the candor and fairness of the committee for an opportunity of defence. A list of such witnesses as the undersigned deems important to his defence is hereto annexed. Many of them were members of the last Legislature, and are fully conversant with the circumstances attending the election of State Printers. Without the production of these witnesses, the undersigned feels that he could not fairly meet and rebut the gross charges brought against him, and otherwise the investigation will be altogether *ex parte*, partial and unsatisfactory, except it be to his political opponents and the Governor, and those enemies that have combined to destroy the accused. The undersigned respectfully remonstrates against being left at the mercy of such men, unless the means of defence which he has suggested be allowed.

The importance of this investigation to the undersigned, in a pecuniary point of view, will be seen by the annexed affidavit. It will be there seen, that in consequence of his election to the office of State Printer, and in obedience to the law under which he was elected, he has incurred an expense of near \$10,000. This large amount, the loss of

which would be utterly ruinous to your memorialist, was expended in confidence that the faith of the State was pledged to carry out the provisions of the law under which he was elected, he having complied with that law in every respect, as the following statement of facts will fully exhibit.

On the 15th day of April last, the undersigned was elected State Printer, to do the printing in the English language, by both branches of the Legislature, in convention; and before the adjournment of said convention he received a certificate of election, of which the following is a true copy:

PENNSYLVANIA, ss.

To all to whom these presents shall come, GREETING:

Know ye, that in pursuance of an Act of the General Assembly of this Commonwealth, to create permanently the office of State Printer, passed the 24th day of March, 1843, both branches of the General Assembly of this Commonwealth, met in the Hall of the House of Representatives, on Saturday the 15th day of April, 1843, for the purpose of electing two State Printers, one to do the English, and one to do the German printing of the Commonwealth, for the term of three years, from the first day of July, 1843; the Speaker of the Senate presiding; and the tellers duly appointed, having taken down the names of every person voting at the election, and that of the person for whom he voted, it appeared that Isaac G. M'Kinley was duly elected to do the printing in the English language, and Hutter and Bigler, to do the printing in the German language.

B. CRISPIN, *President.*

WILLIAM ELWELL, *Teller of the House of Representatives.*

SAMUEL F. HEADLEY, *Teller of the Senate.*

On the 25th day of April, the undersigned executed a bond to the Commonwealth, in the sum of ten thousand dollars, with such sureties attached, that there could not possibly be an objection to their sufficiency, a copy of which bond, marked (A.) is hereunto annexed. On the 19th of May, the Executive returned the said bond to the undersigned, with the endorsement of the Secretary of the Commonwealth on the back, a copy of which is hereunto annexed, marked (B.)—and on the third day of January, when the officers of the Legislature handed the undersigned the printing of both Houses, he returned the bond to the Secretary's office, to be filed, as the affidavit of Benjamin S. Russell will show.

The undersigned further represents, that he addressed a letter to the Governor and Heads of Department, demanding the public printing, in pursuance of the law under which he was elected, a copy of one of which letters is hereunto annexed, marked (C.)

The undersigned also, in pursuance of the State Printer law, submitted specimens of paper to the Secretary of the Commonwealth for his approval; and in every other respect complied with the law.

Your memorialist, therefore, in view of all the facts stated above, and in consequence of not having his witnesses upon the spot, asks that the investigation may be deferred until his witnesses can be produced, and that a subpoena may be immediately issued for their attendance. With the presence of these witnesses, the undersigned fears not the most searching investigation, nor the most violent persecution of the Governor, and all those who have combined to destroy the accused.

All of which is respectfully submitted.

ISAAC G. M'KINLEY.

HARRISBURG, *January 13, 1844.*

Dauphin County, ss.

Personally appeared before me, one of the justices of the peace for the county of Dauphin, Isaac G. M'Kinley, printer, of said county, who doth depose and say:

That he was elected State Printer, to do the printing in the English language, by the Legislature of Pennsylvania, on the 15th of April last, in pursuance of the pro-

visions of an Act, entitled "An Act to create permanently the office of State Printer," passed the 24th day of March, 1843, the second section of which Act reads as follows:

"SECTION 2. The State Printers who shall be elected in pursuance of the first section of this Act, shall procure good and sufficient type and all other materials, for executing the printing of the laws, journals, reports, bills, resolutions, messages, and all other Legislative and Executive papers and documents that may be ordered by the Legislature, or either branch thereof, or by the Executive, or any of the Departments of the Government, and to keep the same at Harrisburg, and be at all times in readiness to execute the printing aforesaid, in a neat and workmanlike manner, and with the utmost despatch."

That in compliance with the provisions of the aforesaid section, he has purchased new type, entirely, for the execution of the public work:—That he has provided himself with two power printing presses of the most approved kind, to execute said work, together with every other kind of printing material necessary to do the State printing in a neat and workmanlike manner, as the documents already printed for the Legislature will show, at a cost of upwards of six thousand dollars:—That, in addition to the above expenditure, he has purchased, and contracted to be delivered, printing paper of every description necessary for the printing of the State work, in the neatest and best manner, and in doing so has incurred an expenditure of upwards of three thousand dollars, which paper is only calculated for the public work, it having been made expressly for that purpose, and the size being different from that used in ordinary printing. This deponent further represents, that he is now well prepared to execute the printing of the State, in compliance with the law under which he was elected, and in a manner very superior to that in which the public work has heretofore been executed.

ISAAC G. M'KINLEY.

Sworn and subscribed, January 13, 1844, before

W. KLINE.

List of witnesses that the accused desires to have subpoenaed:

Edward M'Gowan, Philadelphia.
Richard Baeon, Philadelphia.
Wm. Karns, Pittsburg.
Asa Packer, Mauch Chunk.
Geo. R. Barrett, Clearfield.
Joseph Kerr, Stroudsburg.
Samuel Kerr, New Castle, Mercer co.
J. Porter Brawley, Meadville.
M. B. Lowry, Harmonsburg, Crawford co.
J. Y. James, Warren.
Luther Kidder, Wilkesbarre.
Geo. F. Boal, now a member.
Gen. John Sipes, Lieking creek, Bedford co.
Jesse Horton, Senator.
W. P. Wilcox, Senator.

Chas. M'Clure, Secretary of the Commonwealth.
Anson V. Parsons, Philadelphia.
Judge Samuel Hepburn, Carlisle.
John Potteiger, member.
Seth Salisbury.
Geo. Bush, member.
John Moorhead, of Clinton co.
Wm. F. Packer.
Wm. Hopkins.
Job Mann.
Edwin W. Hutter.
Levi Reynolds.
Wm. Overfield.
Wm. S. Picking.

Mr. Adams also read a copy of the bond presented to the Governor by Isaac G. M'Kinley for his approval—a certificate of the Secretary of the Commonwealth—and also a copy of a letter sent to David R. Porter, signed Isaac G. M'Kinley, stating that all the necessary materials for doing the State printing were purchased, &c.—also a letter sent to the Secretary of the Commonwealth, signed Isaac G. M'Kinley, requesting the bond to be filed in the Secretary's office, together with the affidavit of Benjamin S. Russell, that said bond was handed to the Secretary.

A.

(COPY.)

Know all men by these presents, that we, Isaac G. M'Kinley, printer, of the borough of Harrisburg, and Michael Burke, Philip Dougherty, James M'Cormick and Simon Cameron, all of the county of Dauphin, and State of Pennsylvania, are bound unto the Commonwealth of Pennsylvania, in the sum of ten thousand dollars, lawful money of the United States, to the payment of which, we do bind ourselves, our heirs and executors, and administrators, jointly and severally, by these presents.

The condition of the above obligation is such, that whereas the said Isaac G. M'Kinley, on the 15th instant, has been chosen State Printer in the English language, and binder, for a term of three years, to commence on the first day of July next, in pursuance of the provisions of an Act of the General Assembly, passed the twenty-fourth of March, one thousand eight hundred and forty-three, entitled "An Act to create permanently the office of State Printer." Now, if the above bounden Isaac G. M'Kinley, shall and does faithfully perform the duties of his office, as required to be done and performed by said Act, and shall in all things fully comply with its provisions, then this obligation to be void, otherwise to remain in full force and virtue.

Witness our respective hands and seals this twenty-fifth day of April, in the year of our Lord one thousand eight hundred and forty-three.

ISAAC G. M'KINLEY,	[Seal.]
MICHAEL BURKE,	[Seal.]
PHIL: DOUGHERTY,	[Seal.]
JAMES M'CORMICK,	[Seal.]
SIMON CAMERON,	[Seal.]

Witness—J. B. BRATTON.

B.

(COPY.)

This bond having been presented to the Governor on the 25th day of April, A. D. 1843, was held under advisement, and the question submitted to the Attorney General, whether the election of I. G. M'Kinley was valid under the Act of Assembly authorizing the election of State Printers? On the 13th day of May, A. D. 1843, the written opinion of the Attorney General was read and filed, setting forth that the election of the said I. G. M'Kinley was invalid, for the reason therein contained; and therefore, the Governor, concurring with the Attorney General in opinion, declines to approve of the sureties and the bond tendered, and directs the same to be returned to I. G. M'Kinley, with information, that the whole matter will be laid before the next Legislature for such action as it may deem fit.

CHAS. M'CLURE,
Secretary of the Commonwealth.

SECRETARY'S OFFICE, }
Harrisburg, May 19th, 1843. }

(COPY.)

HARRISBURG, Jan. 3, 1844.

CHARLES M'CLURE, Esq.,
Secretary of the Commonwealth:

SIR:—I herewith hand you my official bond, as State Printer, which, after having been presented to the Governor on the 25th of April last, and received by him, was returned to me by you on the 19th of May last.

Yours,

ISAAC G. M'KINLEY.

Dauphin County, ss.

Personally came before me, a justice of the peace in and for the county of Dauphin, Benjamin S. Russell, who being duly affirmed, doth depose and say, that on this 3d day of January, 1844, he handed to Charles M'Clure, Esq., Secretary of the Commonwealth, in his office, a letter from Isaac G. M'Kinley, covering the official bond of Mr. M'Kinley, of which bond and letter the foregoing are true copies.

BENJ. S. RUSSELL.

Affirmed and subscribed before me, Jan. 3, 1844.

W. KLINE.

C.

(COPY.)

HARRISBURG, *October 20, 1843.*

TO DAVID R. PORTER,

Governor of Pennsylvania:

SIR:—On the 15th of April last I was elected State Printer, to do the printing in the English language, in pursuance of the provisions of the law of the 24th of March, 1843, entitled “An Act to create permanently the office of State Printer.” The second section of that law provides that the State Printer “shall procure good and sufficient type, and all other materials for executing the printing of the laws, journals, reports, bills, resolutions, messages, and all other Legislative and Executive papers and documents, that may be ordered by the Legislature or either branch thereof, *or by the Executive or any of the Departments of the Government*, and to keep the same at Harrisburg, and be at all times in readiness to execute the printing aforesaid.” In pursuance of the provisions of the law, under which I was elected, I have provided myself, at a heavy expense, with all necessary materials for executing the public printing of the State, and take the present occasion to demand of you all the printing of your Department, contemplated by the law under which I was elected State Printer.

Very respectfully, yours,

ISAAC G. M'KINLEY.

On motion,

Places were assigned to Messrs. Hutter and Bigler, Mr. M'Kinley, and their counsel, during the investigation.

The following communication was then read, signed David R. Porter :

EXECUTIVE CHAMBER.

Harrisburg, January 13th, 1844. }

TO BENJAMIN CHAMPNEYS,

Chairman of the Joint Committee, &c.

SIR:—I have received your communication of this day, requesting my attendance at a meeting of your committee at 3 o'clock this afternoon, to state my knowledge in relation to the election of State Printer, &c. In compliance with which, I herewith enclose a list of the names of witnesses, which I respectfully request may be examined, touching the subject referred to your committee.

Thomas L. Wilson, Esq., is authorized to appear before you, for the purpose of so interrogating the witnesses, that the facts may be fully elicited.

Very respectfully,

Yours, &c.

DAVID R. PORTER.

Names of witnesses :—Theophilus Fenn, Jacob Foreman, Esq., Thaddeus Stevens, Robert P. Maclay, Simon Cameron, Colin M'Curdy, P. C. Sedgwick, E. P. Hughes, I. G. M'Kinley, E. W. Hutter, Joseph W. Cake, J. M. G. Lescure, Samuel Bigler, Jacob Baab, J. B. Bratton.

Mr. Adams, counsel for Messrs. M'Kinley, Hutter and Bigler, moved that subpœnas issue to compel the attendance of witnesses, returnable on the 23d instant.

A motion was then made by Mr. Roumfort,

To amend the same, by adding the name of David R. Porter, to the list of witnesses for the accused.

Mr. Roumfort called for the reading of the letter of the Governor in relation to his being a witness.

The letter was read.

The amendment was then withdrawn.

A motion was then made by Mr. Macmanus,

To amend the motion of Mr. Adams, so as to make the subpœnas for all witnesses, residing within 20 miles of Harrisburg, returnable on Thursday, the 18th instant, and all others returnable on the 23d.

And on the question,

Will the committee agree so to amend?

It was determined in the affirmative.

And the question recurring,

Will the committee agree to the motion as amended?

It was agreed to.

A motion was then made by Mr. Sterigere and Mr. Roumfort,

That Mr. Hughes and Mr. Dunlap be appointed a committee to wait upon the Governor, requesting his attendance as a witness before the joint committee of investigation.

And on the question,

Will the committee agree to the motion?

It was agreed to.

A motion was then made by Mr. Hughes,

That Mr. Wilson be admitted to a seat within the bar, in compliance with the request of, and for the purpose mentioned by, the Governor.

And on the question,

Will the committee agree to the motion?

A motion was made by Mr. Roumfort,

To postpone the further consideration of the subject for the present.

Which was agreed to.

And on motion of Mr. Sullivan,

The committee adjourned until half-past 7 o'clock this evening.

SAME DAY—*Evening.*

Committee met pursuant to adjournment.

Present—Messrs. Champneys, Sullivan, Hughes, Sterigere and Sherwood, of the Senate; and Messrs. McFadden, Roumfort, Macmanus, Cooper, Evans and Dunlap, on part of the House.

Mr. Hughes, from the committee appointed for that purpose, made report: That the committee in pursuance of their duties called upon the Governor, and stated to him their mission, verbally, and received a verbal reply in substance, as follows:—Tha

having furnished a list of witnesses, whom he believed would be able to substantiate the charges alleged against Isaac G. M'Kinley, and until those witnesses were examined, he had no further communication to make.

A motion was then made by Mr. Rounfort,

That the Chairman be requested to issue his subpoena to compel the Governor, David R. Porter, to attend before the committee as a witness.

And on the question,

Will the committee agree to the motion?

It was agreed to.

A motion was then made by Mr. Sullivan.

That the committee proceed to the examination of witnesses, and that J. M. G. Leseure be called to the stand for examination.

And on the question,

Will the committee agree to the motion?

A motion was made by Mr. Sterigere,

To postpone the further consideration of the subject for the present, and that the committee go into secret session.

Which was not agreed to.

And the question recurring,

Will the committee agree to the motion?

The yeas and nays were required by Mr. Rounfort and Mr. Sterigere, and were as follow, viz :

YEAS—Messrs. Hughes, Sullivan, Sherwood, M'Fadden, Cooper, Dunlap, and Champneys, *Chairman*—7.

NAYS—Messrs. Sterigere, Maemanus, Rounfort and Evans—4.

So it was determined in the affirmative.

A motion was then made by Mr. Rounfort,

That when this committee adjourns, it will adjourn to meet on Monday next at 3 P. M.

Which was agreed to.

A motion was then made by Mr. Rounfort,

That the committee do now adjourn.

And on the question,

Will the committee agree to the motion?

The yeas and nays were required by Mr. Rounfort and Mr. Sterigere, and were as follow, viz :

YEAS—Messrs. Sterigere, Maemanus, Rounfort, Evans, and Champneys, *Chairman*—5.

NAYS—Messrs. M'Fadden, Hughes, Sullivan, Sherwood, Cooper and Dunlap—6.

So it was determined in the negative.

A motion was then made by Mr. Sterigere and Mr. Rounfort,

That the examination of J. M. G. Leseure be postponed until the Governor be examined.

And on the question,

Will the committee agree to the motion?

The yeas and nays were required by Mr. Sullivan and Mr. Rounfort, and were as follow, viz :

YEAS—Messrs. Sterigere, Macmanus, Rounfort, Evans, and Champneys, *Chairman*—5.

NAYS—Messrs. M’Fadden, Sullivan, Hughes, Sherwood, Cooper and Dunlap—6.

So it was determined in the negative.

Mr. Adams, counsel for Messrs. M’Kinley, Hutter and Bigler, made application to the committee to have the charges alleged against the accused to be specifically made out.

A motion was then made by Mr. Hughes,

That the committee proceed to the examination of witnesses.

And on the question,

Will the committee agree to the motion ?

A motion was made by Mr. Hughes,

That the committee do now adjourn.

Which was agreed to.

Adjourned until Monday next, at 3 P. M.

SUPREME COURT ROOM. }
Monday, January 15, 1844. }

Committee met pursuant to adjournment.

Present—Messrs. Champneys, Sullivan, Sterigere, Hughes and Sherwood, of the Senate ; and

Messrs. M’Fadden, Rounfort, Cooper, Dunlap, Macmanus and Evans, on part of the House of Representatives.

The Chairman stated that a subpœna had been issued to David R. Porter, and placed in the hands of the Sergeant-at-Arms of the Senate. He therefore called upon that officer to make report.

E. Cornman, Esq., Sergeant-at-Arms made report :

That he had served the subpœna upon David R. Porter, at five minutes past 10 o’clock, A. M.

A motion was then made by Mr. Sullivan,

That the committee do now proceed to the examination of witnesses, and that J. M. G. Lescure be called to the stand to testify.

Mr. Macmanus moved to amend the same, by striking out the name of “J. M. G. Lescure,” and inserting that of “David R. Porter.”

And on the question,

Will the committee agree to the motion ?

The yeas and nays were required by Mr. Sullivan and Mr. M’Fadden, and were as follow, viz :

YEAS—Messrs. Sterigere, Macmanus, Rounfort, Cooper, Evans, Dunlap, and Champneys, *Chairman*—7.

NAYS—Messrs. M’Fadden, Sullivan, Hughes and Sherwood—4.

So it was determined in the affirmative.

And the motion as amended was agreed to.

On motion,

Leave was granted to Mr. Adams, to present the following application :

In the matter of the investigation relating to “the election of State Printers, the frauds connected therewith, and the non-acceptance of the bonds of the persons claiming to have been elected State Printers,” referred to a joint committee of the Senate and House of Representatives of the State of Pennsylvania :

To the HON. BENJAMIN CHAMPNEYS,

And the other gentlemen, composing the Committee of Investigation :

The accused, Isaac G. M’Kinley, and Hutter and Bigler, respectfully, by their counsel, request that the charges preferred against them in the Governor’s message of the 3d January, 1844, may be put into a form, so specific as to enable them intelligently to enter upon their defence. It does not become the accused to anticipate the course of inquiry to be pursued by your honorable committee ; but it is manifestly only justice that, when charges of so serious a nature are made against an individual, they should be made so definite that an issue or issues thereupon, may be formed, before proceeding to trial ; and also, that the accused may know what witnesses to summon, as upon the nature and number of the charges will depend, who shall be the witnesses and what their number.

From an examination of the Governor’s message, and the resolutions constituting the committee, the accused suppose the following questions might legitimately arise :

Was the election of Isaac G. M’Kinley, and Hutter and Bigler, as State Printers, valid in law ?

Had the Governor a right, under the circumstances, to decline to approve the bonds tendered by the persons elected State Printers ?

Was any sum of money or other property paid, or promised, or offered to be paid by Isaac G. M’Kinley, and Hutter and Bigler, or any or either of them, to any member or members of the Legislature of 1843,* [*or to any other person or persons, and if so, to whom?*] in order to induce such member or members to vote for them, the said M’Kinley, Hutter and Bigler, or either of them, as State Printers or State Printer ; and if so, what were such sums of money or other property, and who was the member, or who were the members ?

Was any sum of money or other property paid or promised, or offered to be paid, or any office or offices promised, or the hope of obtaining any office or offices, held out to any member or members of the Legislature of 1843,* [*or to any other person or persons, and if so, to whom?*] by David R. Porter, Governor of the State of Pennsylvania, or by any person or persons authorized by him, in order to procure the vote or votes, of such member or members for John H. Dimock, or any other person or persons as State Printer or State Printers ; and if so, what were such sums of money or other property, or such office or offices, and who was the member, or who were the members ?

The accused respectfully desire to be informed whether all the above questions, or only some of them, and if so, which, or whether other questions will be investigated by the committee.

The accused also respectfully request that before proceeding to an investigation, a list of the witnesses to be produced against them may be furnished them ; and also that in conformity with the usual practice, the prosecutor (for such they are compelled to consider the Governor of the Commonwealth) may be examined before the other witnesses.

JOHN T. ADAMS,

Counsel for M’Kinley, Hutter and Bigler.

*The words marked and *italicised*, were inserted by order of committee.

And on the question,

What order will the committee take in reference to said application ?

A motion was made by Mr. Rounfort,

That the application be read by paragraphs, and that the sense of the committee be taken upon each paragraph separately.

On motion,

The further consideration of the subject was postponed for the present.

A motion was then made by Mr. Cooper,

That the fact be reported to the Senate by the Chairman, that a subpœna was issued to David R. Porter, Governor, to attend before the Committee as a witness, and that he is not in attendance pursuant to said subpœna.

Which was agreed to.

A motion was then made by Mr. Rounfort and Mr. Sterigere,

That the committee resume the consideration of the motion made by Mr. Rounfort, that the application of Mr. Adams be read by paragraphs, and that the sense of the committee be taken upon each paragraph separately.

Which was agreed to.

The first paragraph being under consideration ;

A motion was made by Mr. Rounfort,

That the phraseology of the questions submitted in the application, be altered so as to read, "shall the committee as part of their duty enquire whether."

Which was agreed to.

And the question recurring upon the adoption of the first paragraph ;

It was agreed to.

And on the question,

Will the committee agree to the second paragraph ?

It was agreed to.

The third paragraph being under consideration ;

A motion was made by Mr. Sullivan,

To amend the same, by inserting after the words "eighteen hundred and forty-three"—"or to any other person or persons."

Mr. Macmanus moved further to amend by adding: "and if so, to whom?"

Which, together with the amendment, was adopted.

And the paragraph as amended was agreed to.

The fourth paragraph being under consideration ;

A motion was made by Mr. Sterigere,

To amend the same, by inserting after the words, "eighteen hundred and forty-three"—"or to any other person or persons, and if so, to whom?"

And on the question,

Will the committee agree to the amendment ?

It was agreed to.

And the paragraph, as amended, was agreed to.

A motion was then made by Mr. Sterigere and Mr. Rounfort,

That the committee do not inquire into any matters other than those contained in the citations.

Which was agreed to.

The fifth paragraph being under consideration;

Mr. Rounfort called for a division of the question on said paragraph, ending with the words, "furnished them."

And on the question,

Will the committee agree to the first division?

A motion was made by Mr. Rounfort,

That a list of the witnesses subpoenaed by the committee, be furnished to Messrs. Hutter and Bigler and Isaac G. M'Kinley; and also a list of those furnished by the Governor.

Which was agreed to.

The second division being under consideration;

A motion was made by Mr. Rounfort,

To postpone its further consideration until the committee be apprized of what action the Senate have taken on the report of the committee.

Which was agreed to.

A motion was made by Mr. Sullivan,

That the committee do now proceed to the examination of witnesses, and that J. M. G. Lescure be called to the stand to testify.

And on the question,

Will the committee agree to the motion?

A motion was made by Mr. Macmanus,

That the same be laid on the table.

And on the question,

Will the committee agree to the motion?

The yeas and nays were required by Messrs. Sullivan and Hughes, and are as follow, viz:

YEAS—Messrs. Sterigere, Sherwood, Macmanus, Rounfort, Cooper, Evans, and Champneys, *Chairman*—7.

NAYS—Messrs. M'Fadden, Sullivan, Hughes and Dunlap—4.

So it was determined in the affirmative.

A motion was then made by Mr. Macmanus,

That when this committee adjourns, it will adjourn to meet to-morrow at 3 o'clock.

And on the question,

Will the committee agree to the motion?

A motion was made by Mr. Hughes,

To amend the same, by striking out "to-morrow at 3 o'clock, P. M.," and inserting in lieu thereof, "half-past 7 o'clock, this evening."

And on the question,

Will the committee agree to the amendment?

The yeas and nays were required by Messrs. Sullivan and Hughes, and are as follow, viz:

YEAS—Messrs. Sullivan, Hughes, Sherwood and Dunlap—4.

NAYS—Messrs. M'Fadden, Sterigere, Macmanus, Rounfort, Cooper, Evans, and Champneys, *Chairman*—7.

So it was determined in the negative.

And the question recurring,

Will the committee agree to the motion?

It was agreed to.

A motion was then made by Mr. Macmanus,

That the committee do now adjourn.

Which was agreed to.

And the committee adjourned until 3 o'clock to-morrow.

SUPREME COURT ROOM, }
Tuesday, January 16, 1844. }

The committee met pursuant to adjournment.

Present—Messrs. Champneys, Sullivan, Sterigere, Hughes, Penniman and Sherwood, of the Senate; and Messrs. M'Fadden, Rounfort, Macmanus, Cooper, Evans and Dunlap, on part of the House of Representatives.

A motion was made by Mr. Sullivan,

That the committee do now proceed to the examination of witnesses, and that J. M. G. Lescure be called to the stand to testify.

Which was withdrawn for the present.

A motion was then made by Mr. Sullivan,

That after the Chairman had propounded questions to the witnesses, any member of the committee might propound questions; and if any question was objected to, it should be determined without debate.

Which was agreed to.

A motion was then made by Mr. Sterigere,

That the vote taken on the motion of Mr. Sullivan be reconsidered.

Which was not agreed to.

The committee resumed the consideration of the motion of Mr. Sullivan, that J. M. G. Lescure be called to the stand to testify.

Which was agreed to.

J. M. G. LESCURE being called, he appeared, and was sworn.

Ques.—3d specification. Was any sum of money, or other property paid or promised or offered to be paid by Isaac G. M'Kinley, and Hutter and Bigler, or any or either of them, to any member or members of the Legislature of 1843, or to any other person or persons, and if so, to whom, in order to induce such member or members to vote for them, the said Isaac G. M'Kinley, and Hutter and Bigler, or either of them, as State Printer or State Printers; and if so, what were such sums of money or other property, and who was the member or who were the members?

Ans. I have no knowledge of the matters contained in this specification except from hear say, if I am required to say it.

Q.—4th specification. Was any sum of money or other property paid or promised, or offered to be paid, or any office or offices held out to any member or members of the Legislature of 1843, or to any other person or persons, and if so, to whom, by David R. Porter, Governor of the State of Pennsylvania, or by any person or persons authorized by him, in order to procure the vote or votes of such member or members for John H. Dimock, or any other person or persons as State Printer or State Printers; and if so, what were such sums of money or other property, or such office or offices, and who was the member, or who were the members?

A. Mr. Karns was appointed Postmaster at Allegheny city—Mr. Asa Packer was appointed Associate Judge of Carbon county—Mr. Brawley, I believe, received a contract from the General Government—Mr. Kerr, who expects an Associate Judgeship in Monroe county—Mr. M'Gowan, of Philadelphia county, now in office—voted for John H. Dimoek. I have received a letter, which informs me that Mr. Richard Bacon will disclose certain facts, if he does not get an office. I do not know the hand writing. The letter is anonymous. I have nothing further to state.

Q. By Mr. M'Fadden.

Did you, at any time after the 15th day of April, 1843, and during the interval of time on which the election was consummated, witness the execution of any bonds or other instruments of writing, signed by Isaac G. M'Kinley, Hutter and Bigler, or either of them, covenanting for the payment of any sum or sums of money in consideration of influencing a certain number of votes for Isaac G. M'Kinley and Hutter and Bigler, as State Printers? If so, state when, and in whose hands said bond or bonds remain?

A. No, sir.

Q. By Mr. Rounfort.

Have you had any conversation with Governor Porter on the subject of the election of State Printer, and if so, when, where, and what was the substance of that conversation?

A. Immediately after the passage of the law for State Printer, I was in the Executive Chamber on a certain day, and had a very full conversation with the Executive upon the subject of State Printer. The Governor remarked to me that whoever was nominated by the democratic caucus could not be elected. I asked him why? He said it was a very exciting question, and he did not think the individual nominated could be elected. I informed him that I was prepared to stand or fall by the caucus nomination; and that unless we were nominated, we should not be candidates for the office of State Printer. The firm then was M'Kinley and Lescure. He gave what I conceive to be a very insignificant look, as much as to say, the nominee will be defeated. There the conversation ended.

Q. By Mr. Hughes.

Did you ever hear Mr. M'Kinley say whether Glossbrenner of York county, was to receive, or had received any sum of money or interest arising from the proceeds of the State Printing—and if aye, what did you hear Mr. M'Kinley say on that subject?

A. I never heard Mr. M'Kinley say any thing definite on that subject. I have heard that Mr. Glossbrenner desired to purchase part of our establishment, and we were willing to sell if he would give enough. I did not hear Mr. M'Kinley say any thing more positive on the subject.

Q. By Mr. Sullivan.

Did Mr. Glossbrenner purchase an interest in your establishment?

A. No, sir.

Q. Have you not heard Isaac G. M'Kinley say that Mr. Glossbrenner was to have some interest in the State Printing, or its proceeds?

A. Not positively. There was considerable conversation at that time.

Q. On what condition did he say, if any, he was to have an interest?

A. I have no knowledge that he was to have an interest.

Q. Has not Mr. Glossbrenner an interest in the printing?

A. I know not.

Q. Do you know if he was active in procuring the election of Isaac G. M'Kinley?

A. I do not know. I understood he was active in procuring the election of John H. Dimoek.

Q. From whom did you understand that?

A. It was the rumor of that day. There was five hundred matters transpired in a minute at that time.

Q. You cannot name any one who told you?

A. I cannot, sir.

Q. Are you yet a partner of Mr. M'Kinley's?

A. I am one of the firm.

Q. Name the members of the firm?

A. Messrs. M'Kinley, Bratton, Patterson and Lescure. The business firm is Isaac G. M'Kinley & Co.

Q. Was this association formed with a view of electing one of your number State Printer?

A. No, sir; it was not formed for that purpose at all.

Q. Had you written articles of association at the time the firm was formed?

A. No, sir; there was no association. There was a written article of association as a business firm.

Q. Where is that article of agreement?

A. In the hands of Mr. Patterson.

Q. Have neither you, Mr. Bratton, nor Mr. M'Kinley, a copy of that article?

A. I have none.

Q. Do you know of any copy of it in Harrisburg?

A. I do not, sir.

Q. Does that article say anything in relation to the course to be pursued towards the Governor by the newspaper?

A. The paper was to condemn him, his acts and policy when wrong, and treat him fairly when right. And further, to defend the democratic party fearlessly, "regardless of denunciations from any quarter," and to sustain the regular nominations of the party, when made through their delegates.

Q. State any knowledge, if you have any, of any sums of money to be paid by your firm to any other persons?

A. I have none.

Q. State anything you heard your partners say in relation to this matter?

A. I never heard them say anything in relation to it.

Q. Have you not conversed with Mr. Patterson on this subject?

A. I have not, sir.

Q. Do I understand you to say, that no other person or firm but your own is to receive any benefit, or any sum or sums of money from your firm, or any member thereof, arising from the State Printing?

A. I have no recollection of hearing them say so.

Q. By Mr. M'Fadden,

Have you at any time heard Theophilus Fenn or Colin M'Curdy say, that they or either of them were to receive a certain amount of the profits arising from the office of State Printer, in the event of Isaac G. M'Kinley and Hutter and Bigler's election, or either of them?

A. No, sir! except what I have seen in their papers.

Q. Have you had any conversation with them on that subject?

A. No, sir.

Q. By counsel for Messrs. M'Kinley, Hutter and Bigler,

Who was the caucus nominee at the time when you had the conversation with the Governor?

A. John B. Bratton.

Q. By same.

Did you enter into any combination whatever, to procure the passage of this State Printer law?

A. No, sir!

Q. By same.

Did you know of any such law being in contemplation, until you saw it announced in the Governor's Message?

A. No, sir!

Q. By same.

Did you ever make use of any means whatever, to procure the Executive sanction to the law?

A. No, sir!

Q. By same.

Did you ever enter into any combination whatever, or make any arrangement where-by the prices of the public printing in the bill should be fixed?

A. No, sir!

Q. By same.

Do you know whether or not, Hutter and Bigler had any competitor from their own party to contend with, to procure the public printing?

A. Mr. Wollenweber from Philadelphia county, I believe, was a candidate for nomination.

Q. By same.

Do you know whether Mr. Wollenweber received any votes in caucus?

A. I recollect he received some votes, but do not know how many.

On motion,

Mr. Lescure was discharged.

Mr. Sullivan moved that the committee adjourn until half-past 7 o'clock this evening.

Mr. Roumfort moved to amend, by inserting 3 o'clock to-morrow afternoon.

Which was agreed to.

And the committee adjourned until to-morrow at 3 o'clock, P. M.

SUPREME COURT ROOM, }
Wednesday, January 17, 1844. }

Committee met pursuant to adjournment.

Present, on part of the Senate, Messrs. Champneys, Sullivan, Sterigere, Sherwood, Hughes and Penniman.

On part of the House of Representatives, Messrs. M'Fadden, Macmanus, Dunlap, Roumfort, Cooper and Evans.

The Chairman laid before the committee a petition referred in the Senate to the joint committee, in relation to the public printing.

Mr. Roumfort moved that the committee proceed in the examination of witnesses, and that E. W. Hutter be called to the stand.

Mr. Adams begged leave before the examination would be proceeded in, to submit a protest in behalf of Isaac G. M'Kinley, protesting against the admission of hear-say testimony by the committee, with a request to have the protest entered upon the journal.

A motion was made by Mr. Penniman and Mr. Sullivan,

That the protest do not appear on the journal.

Which was not agreed to.

The following protest was then directed to be entered upon the journal:

To the HON. BENJAMIN CHAMPNEYS, Chairman, and the other gentlemen composing the Joint Committee, to inquire into alleged frauds, &c., connected with the election of State Printers, &c.

The accused, Isaac G. M'Kinley, Hutter and Bigler, by their counsel, respectfully *protest* against the admission of any hear-say testimony before the committee, not warranted by the rules of legal evidence, and calculated to affect or prejudice them, as an invasion of the rights of the citizen, and a palpable violation of the plainest principles of justice.

They respectfully protest against the committee over-stepping the limits of the specifications deliberately adopted by the committee ; and which the committee, by a vote, recorded on the journal of their proceedings, decided they would not overstep.

They respectfully request that this protest may be entered on the journal of the proceedings, and made part of the same.

JOHN T. ADAMS, *Counsel, &c.*

COMMITTEE ROOM, *January 17, 1844.*

Mr. Penniman offered the following resolution :

Resolved, That the rules heretofore adopted, restricting the inquiry within certain limits, be and the same are hereby repealed.

A motion was made by Mr. Sullivan,

That it be laid on the table.

Which was agreed to.

Mr. Sullivan moved that the Sergeant-at-Arms be directed to go to the Land office, and request Major Rehner to attend before the committee as a witness.

Which was agreed to.

The committee resumed the consideration of the motion of Mr. Rounfort, that the examination proceed, and that Ed. W. Hutter be called to the stand to testify.

Mr. Adams, counsel, begged leave to state that Mr. Hutter protested against the right of the committee to examine him as a witness, but that if the committee directed him to testify, he would do so.

The committee directed the examination to proceed.

Mr. Sullivan moved that a subpoena issue to Major Rehner.

Which was agreed to.

EDWIN W. HUTTER being called, was sworn and examined.

The third specification being read by the Chairman, the witness answered as follows, viz :

So far as this interrogatory relates to Isaac G. M'Kinley, I have no personal knowledge whatever. So far as it relates to Hutter and Bigler, I here state upon my solemn oath, that no sum of money or other property was ever paid, or promised, or offered to be paid by them, or either of them, or any person in their behalf, to any member or members of the Legislature of 1843, to induce such member or members to vote for them as State Printers. I feel well assured that it never could have been done without my knowledge, and I solemnly assert that it never was done. All that portion of David R. Porter's recent message to the Legislature, which charges Hutter and Bigler with having procured their election as State Printers by fraud, or corrupt negotiations of any character, I here assert to be wholly and unequivocally false—and from all the circumstances of the case, I am constrained to declare it, as my solemn belief, that he must have known them to be false when he uttered them. Hutter and Bigler presented their names to a caucus of what was called the democratic members of the Legislature of 1843. They obtained that caucus nomination without any very serious opposition, and were subsequently elected by the united vote of the party to which they belonged, except General George McCulloch, member of the House, from Centre county. They received the vote of but a single member of either branch of the Legislature politically opposed to them. That member was the Hon. Charles C. Sullivan, now a member of this committee, and I am very sure that he will acquit Hutter and Bigler of ever having made corrupt appliances to him in order to obtain his vote. I would also state in addition to this, that no sum or sums of money or property of any description, was ever paid by Hutter and Bigler, or promised to be paid to any person or persons not members of the Legislature, as a reward for procuring influence with members of the Legislature. Hutter and Bigler had 69 votes, G. A. Sage had 33, and some 13 scattering.

4th specification. To any such arrangements or negotiations on the part of David R. Porter with members of the Legislature, I, as a matter of course, never was an eye witness. I can hence only communicate to this committee facts notoriously known,

from which they will draw their own inferences. Among the members of the last House of Representatives, was Mr. Asa Packer, of the county of Carbon. Mr. Packer, declined supporting the caucus nominee of the party with which he generally acted, and voted for John H. Dimock. Mr. Packer has, since the adjournment of the last Legislature, been appointed one of the Associate Judges of the county of Carbon. Another member of the House of Representatives of the last session, was Edward M'Gowan, of the county of Philadelphia. On the two first ballots had for State Printer, Mr. M'Gowan voted for John B. Bratton, the caucus nominee. Before the third ballot was taken, Mr. M'Gowan became suddenly very much enamoured of the Executive Chamber—paid frequent visits to David R. Porter, both at his private residence and the Executive Chamber; and when a third ballot was taken for State Printer, Mr. M'Gowan, to the utter surprise of those with whom he had formerly acted, voted for John H. Dimock. Since the adjournment of the last Legislature, Edward M'Gowan, as I observe by the public newspapers, and as he himself told me, has received from David R. Porter, the appointment as Superintendent of the Powder Magazine of Philadelphia. Another member of the last Legislature, was William Karns of the county of Allegheny, and he also voted for John H. Dimock. Since the adjournment of the last Legislature, as I perceive by the public newspapers, William Karns has been appointed by President John Tyler, Postmaster at Allegheny city. Another member of the last Legislature was James Porter Brawley, of the county of Crawford. He too was very active in opposing the caucus nomination for English State Printer. Since the adjournment of the last Legislature, as I observe by the public newspapers, James Porter Brawley has been made a contractor under James Madison Porter, Secretary of War under John Tyler, and brother of David R. Porter. Another member of the last Legislature, was a Mr. Kerr, of the county of Monroe. Mr. Kerr was also active in promoting the success of John H. Dimock. While the election of State Printers was pending before the Legislature, I sought to dissuade Mr. Kerr from this opposition to what I conceived to be the regular nominee of the party to which he professed attachment. Mr. Kerr gave me as his reply, that he was an applicant for a vacant Associate Judgeship in the county of Monroe, and that unless he took this course, David R. Porter would never give him the appointment. And from my own personal knowledge in another instance, I here assert, that it was David R. Porter's uniform mode of action to menace members of the Legislature—if they did not vote as he wished them, they could expect no favor at his hands. I would yet add in connexion with the appointment of William Karns as Postmaster, at Allegheny city, that he has in a public communication, contained in one or more of the public newspapers of Pittsburg, distinctly admitted, that said appointment of Postmaster was tendered him here at Harrisburg.

Q. By Mr. Sullivan.

State if you have any knowledge from Isaae G. M'Kinley, or either of his partners, of any sums of money or other benefits which they or either of them are bound to pay, or afford, in the event of his getting the State printing?

A. Between those gentlemen and myself, since the consummation of this election for State Printers, the most friendly and confidential relations have subsisted; and in all our intercourse upon this subject, I have never heard them make an admission of this sort. If such an understanding does exist, it has never at any one time been communicated to me.

Q. By same.

State whether you heard the rumor of such an arrangement; and ever conversed with them on the subject, and if so, what they or either of them said?

A. I have no recollection that it was ever made the subject of particular conversation between us.

Q. By same.

Do you know from any source of information, anything which would tend to prove the existence of such an arrangement?

A. I do not, sir.

Q. By same.

Has any other person an interest with you and Bigler in the German printing and binding?

A. Shortly before the election of State Printers a co-partnership was formed between the firm of Baab and Hummel and the firm of Hutter and Bigler. These two firms were each printing a newspaper at the seat of government, of the same political character. For a long time prior to this election, the propriety of merging these two establishments into one, was the subject of frequent conversation between us. Believing that the election of State Printers presented a favorable moment for carrying this purpose into effect, the two establishments were accordingly consolidated. Messrs. Baab and Hummel have accordingly an equal interest with Hutter and Bigler, not only in the State printing, but in every thing else pertaining to their establishment. If the committee desires it, I will present to it our articles of co-partnership.

Q. By same.

State, if you please, any thing you know of the consolidation of the other three presses, the Keystone, Gazette and Reporter?

A. I know that they were consolidated, but beyond a mere general knowledge of the fact, I know nothing that I can call to recollection.

Q. By same.

State if you at any time had a conversation or conversations with David R. Porter, Governor of this Commonwealth, on the subject of the election of State Printers, or State Printer; and if so, when and where, and what was the substance of that conversation or conversations?

A. I was present at the interview detailed here last evening by Mr. Lescure, between him and the Governor. The subject of the election of State Printer was introduced in the course of conversation. Governor Porter remarked that the election of State Printer would prove a very exciting one, and that the caucus nominee of the democratic party would not be elected. We both expressed our surprise, and both declared our intention to stand or fall by those nominations. He reiterated the idea, or the assurance, that those nominations would fail. That is all I recollect of this conversation. I would remark, however, that this conversation was prior to the caucus nomination. Some time after this, Governor Porter again addressed me on the subject of the election of State Printers. He desired of me, that I should call upon John H. Dimock, and urge him to become a candidate. As an argument against compliance with this request, I told him that John H. Dimock was a co-partner of Mr. Samuel D. Patterson, and that inasmuch as Mr. Patterson was generally presumed to have made other negotiations, or other arrangements, I did not well see how Mr. Dimock could be placed in opposition to him. I also advanced the argument, that Mr. Dimock had violently abused His Excellency in his paper, and that I could not perceive the justice of adopting Mr. Dimock as his favorite candidate. He replied that Mr. Dimock was merely in the employ of Mr. Patterson—that he did not hold him, Mr. Dimock, responsible for this abuse—and that by proper management, he, Mr. Dimock, could be got out in opposition to Mr. Patterson—and he wished me to speak to Mr. Dimock to accomplish this end. I had always regarded Messrs. Patterson and Dimock as partners, and my heart immediately revolted at the idea of seeking to incense or provoke one partner against another. I looked upon it as a plan of consummate recklessness; and holding my own counsel, I never executed the appointment which His Excellency designed to confer upon me. Where His Excellency subsequently procured an instrument to fulfil this very delicate mission, is more than I can conjecture. Suffice it to say, Mr. Dimock was made his candidate. This is all that I can recollect, embraced in this interview.

After the Legislature had made several ineffectual efforts to elect an English State Printer, they passed, by a vote nearly unanimous, a bill allotting the printing to the lowest bidder. This bill in regular course of time came into the hands of the Governor. He held it over, neither approving nor disapproving it for a number of days—the Legislature in the mean time meeting with due solemnity in convention, and just as often adjourning. Between the Governor and myself, this lowest bidder bill, was the topic of frequent conversation. He assured me again and again, that all he cared for to come

to a determination whether to sign or veto it, was to know whether either of the so called Union firm could or could not be elected. If he could feel assured that Mr. Dimock could be elected, he would veto the bill with the utmost despatch. But if he thought that Mr. M'Kinley or Mr. Bratton could be elected, he would sooner loose his right arm than not to let the lowest bidder bill become a law. Col. William Bigler, Speaker of the Senate, was also about that time spoken of as a candidate for State Printer. I told him, (the Governor,) that I thought probably Mr. Bigler might be united upon as a compromise by all portions of the democrats. His reply was, that he did not trust him. He said if there is a man in that Senate, whom I elected, it is William Bigler, and yet I hear that he discusses constitutional questions as learnedly as though he were a second John Marshall. I have reason to believe that the Governor was subsequently induced to believe, that his favorite, John H. Dimock, could be elected, and that upon those considerations, and those only, he consented to veto the bill allotting the printing to the lowest bidder. On the day of the final election, which was April 15th, (and which I think was Saturday,) he came to my desk whilst I was in the discharge of my duties as Deputy Secretary of the Commonwealth, and in the most importunate manner, urged me to abandon all other work—forthwith proceed to the Legislature, and spend the whole day in endeavoring to prevent the election of Mr. M'Kinley. I obeyed the one part of the requisition, but I took the responsibility of disobeying the other. After this election of State Printer had been consummated, rumor became rife that his Excellency contemplated treating it as though it had never taken place. I felt at first disinclined to credit an assertion so monstrous in its character. After waiting for some time, I determined upon satisfying my own mind by making a direct enquiry of the Executive himself. About the time, however, that my curiosity was at its zenith, the Governor chanced to be in Philadelphia, whither he had gone, as I understood from various sources, in order to procure the opinion of the Attorney General. With much solicitude as to the result, I awaited his return. Hearing of his arrival by the cars, I went to his private residence, and I there found him solitary and alone. After the interchange of ordinary congratulations, I introduced the subject of State printing. I told him of the prevalence of these rumors, and desired him in all frankness and candor to communicate to me his intentions. He at first seemed greatly confused and embarrassed—prevaricated and evinced a disposition to evade the question. I, however, held him to it, and he finally, with much apparent trepidation, told me that he had conferred with the Attorney General on the subject, and that the Attorney General was very clear in his opinion that the election was invalid. I then endeavored to pry into the reasons. Why, he said, that one section of the law required the election to take place on the third day after the passage of the act—and that there was no power conferred upon the Legislature, in the law, to adjourn after their first meeting. I argued all these respective points that he raised, with him, and finally asked him what the Legislature would do for printers? He said there would be no difficulty upon that point—that the Attorney General was also very clear that the Governor, under the law, by implication, had authority to appoint State Printers; and that although he himself was not perfectly clear upon that subject, he had no doubt that it could be done. This is the substance of what occurred at that meeting.

On motion,

The committee adjourned until 3 o'clock, P. M., to-morrow afternoon.

SUPREME COURT ROOM, }
 Thursday, January 18, 1844. }

Committee met pursuant to adjournment.

Present—on part of the Senate, Messrs. Champneys, Sullivan, Hughes, Sterigere, Penniman and Sherwood: and Messrs. M'Fadden, Evans, Dunlap, Rounfort and Cooper, on the part of the House of Representatives.

Mr. Adams, counsel, moved for a subpoena to the Hon. Henry A. Muhlenberg, returnable on the 22nd instant.

Mr. Sullivan moved to lay the motion on the table for the present.

Which was agreed to.

Mr. HUTTER was called and continued his testimony as follows :

Ques. By Mr. Rounfort.

You say from your personal knowledge in another instance, you knew it was the Governor's uniform practice to menace members: How do you know it was his practice to menace members?

Ans.—I know it from personal observation in one instance, that is still distinct in my recollection. On the election of State Treasurer, either in 1841 or 1842, I forget which, William B. Anderson, of the county of Perry, became the democratic caucus nominee for that office. Governor Porter was very assiduous in his efforts to defeat that nomination. He called me into his chamber, and desired me to go to Peter Haas, then a member of the Legislature from the county of Lehigh, and to say to Mr. Haas, that unless he voted for Job Mann, that he, the Governor, would be damn'd if he ever would appoint him Associate Judge for the county of Lehigh—for which office he was then an applicant. I communicated this information to Mr. Haas, remarking to him at the same time, that I considered it very disreputable on the part of the Executive, to hold any such menace over him. Mr. Haas characterized the effort in the same manner, and assured me that he would never be governed by any such considerations. This is about the amount of it. Mr. Haas did not vote for the caucus nominee. He assigned to me as his reason, that he had received representations of the unfitness of Mr. Anderson, and that he would vote for Jacob Dillinger of Lehigh, whom he knew to be well qualified. And, if I mistake not, he did so vote.

Here the examination of Mr. Hutter closed.

Mr. Sullivan moved that Maj. Thomas J. Rehner be called to the stand as a witness to testify.

Which was agreed to.

Maj. T. J. REHRER, called and sworn.

The third specification being read by the Chairman, the witness answered as follows, viz :

Ans. I think it was on the 15th of April last, on Saturday, Capt. M'Kinnon, a member of the last House of Representatives, called at the Surveyor General's office, and stated to Daniel Small, a clerk in the office, in my presence—

[Here counsel, Mr. Adams, objected to the witness stating any thing he heard Daniel Small say—it being hear-say testimony.]

And on the question,

Shall the witness proceed in his testimony?

The yeas and nays were required by Mr. Sullivan and Mr. Hughes, and are as follow, viz :

YEAS—Messrs. Dunlap, Evans, Hughes, Penniman and Sullivan—5.

NAYS—Messrs. Cooper, M'Fadden, Macmanus, Rounfort, Sterigere and Champneys, *Chairman*—6.

So it was determined in the negative.

Witness. On Monday or Tuesday following the election of State Printer, Mr. Daniel Small handed me a paper, dated Harrisburg, April 15th 1843, which paper, was, as near as I can recollect—

[Here Mr. Adams objected to the witness stating his knowledge of the contents of the paper—contending that the paper was the best evidence.]

Mr. Hughes enquired of the witness who the paper was signed by?

Witness. It was signed by Isaac G. M'Kinley, and no one else. I think to the best of my knowledge it was in the hand writing of Isaac G. M'Kinley. I have seen some of his writing.

And on the question,

Shall the objection of Mr. Adams be sustained?

It was not agreed to.

Witness. To the best of my knowledge, it was in this way:—I do promise and agree, that if the members of the counties of York and Adams, vote for me for State Printer, this day, and I am elected, Adam J. Glossbrenner is to have the one-fifth of the State printing, or one-fifth of the profits thereof: I am not certain which. That is all I can recollect of it. It was about 4 or 5 lines in length. The obligation was to Mr. Glossbrenner. I afterwards saw the paper in the hands of Mr. Glossbrenner. I have no further knowledge of the matters contained in this specification.

Fourth specification being read, the witness answered as follows, viz:

Witness. I have no knowledge of anything contained in this specification.

Q. By Mr. M'Fadden.

Have you at any time, seen any bond or other instrument of writing, covenanting for the payment of any sum or sums of money, in consideration, that certain influences should be brought to bear upon members of the Legislature, signed by Hutter and Bigler, or either of them?

A. I have not.

Q. By Mr. Hughes. Do you know whether any member of the last Legislature had any knowledge of the paper you have described?

A. I have not, unless by his own admission. Capt. M'Kinnon stated to Mr. Small that an arrangement had been made by them—

[Here the counsel, Mr. Adams, interposed an objection to the witness stating any arrangement between Mr. M'Kinnon and Mr. Small.]

And on the question,

Shall the witness proceed?

It was agreed to.

Witness. That they were to vote for Mr. M'Kinley, for State Printer. Mr. Small replied, that it were better to have it in black and white—and they both, Mr. M'Kinnon and Mr. Small, left the office. Mr. M'Kinnon was one of the members from the county of York.

Q. By Mr. Cooper. Do you know of any sum of money having been paid, or promised to be paid by Isaac G. M'Kinley, to Capt. M'Kinnon, or any other member of the last Legislature, to induce him, or any other member, to vote for him as State Printer?

A. I do not know of any money, or other property offered or given to any member, for any such purpose.

Q. By Mr. Sullivan. State to the committee, if you please, what conversation, if any, you had with Adam J. Glossbrenner, as to this instrument of writing he held on Isaac G. M'Kinley, at the time he held said writing, and what he said, if anything, he was to do as to procuring the votes of the members of York and Adams, for Isaac G. M'Kinley?

[Here the counsel objected to the question being put.]

And on the question,

Shall the question be propounded?

The yeas and nays were required by Mr. Sullivan and Mr. Sterigere, and are as follow, viz :

YEAS—Messrs. Penniman, Sullivan and Sherwood—3.

NAYS—Messrs. Cooper, Dunlap, Evans, Hughes, M'Fadden, Rounfort, Sterigere and Champneys, *Chairman*—8.

So it was determined in the negative.

Mr. Penniman moved to postpone the further examination of the witness.

Which was not agreed to.

Q. By Mr. Sullivan. State if you were in the Land Department at the time Mr. Glossbrenner came for the instrument of writing already mentioned ?

A. I was not, sir. Mr. Small had left the office a day or two after this occurrence had taken place. A few days after, I saw the paper.

Q. By same. State to the committee, if you please, when you mentioned this arrangement contained in the paper to Mr. Glossbrenner, whether he feigned at first to be ignorant of the arrangement—and after you told him of your knowledge of it, what he then said in relation to it ?

[Here the counsel objected to the question.]

And on the question,

Shall the question be put ?

The yeas and nays were required by Mr. Sullivan and Mr. —, and are as follow, viz :

YEAS—Messrs. Penniman, Sullivan and Sherwood—3.

NAYS—Messrs. Cooper, Dunlap, Evans, Hughes, M'Fadden, Rounfort, Sterigere, and Champneys, *Chairman*—8.

So it was determined in the negative.

Q. By Mr. Rounfort. Was Mr. Glossbrenner at the Seat of Government, on the 15th of April, 1843—the day to which you referred ?

A. Not to my knowledge.

Q. By same. Was it before or after the election of State Printer, that you seen Mr. Glossbrenner, as referred to in your evidence ?

A. I do not know that I have referred to having seen Mr. Glossbrenner in my evidence.

Q. By same. What official situation do you hold here at the Seat of Government ?

A. I hold a situation in the Surveyor General's office, under Gen. Sallade. I have been there between 4 and 5 years, and in the other department connected with it—the Land Department—I was six years.

Q. By same. Have you at any time had any conversation with the Governor of the Commonwealth, on the subject of the election of State Printer ?

A. I have not, sir, previous to the election. I have had since.

Q. By counsel, Mr. Adams. Are you on terms of personal intimacy with the Governor of this Commonwealth ?

A. Yes, sir, I am. That is, I am intimate with Gov. Porter when I see him. There is but one gentleman living between him and myself. That is Mr. Bigler, one of the State Printers. With all that, I have known six weeks to pass frequently, without my speaking to him, or him to me.

Q. By same. Was ever the hope or prospect of obtaining any advantage of any kind, whatever, for yourself, or any friend of yours, held out to you by Gov. Porter, in order to induce you to influence the vote or conduct of any member of this, or any previous Legislature ?

A. There was not, sir. All the conversation I had with Governor Porter, I would not care if the world knew it.

Q. By Mr. Hughes. Are you on good terms with Isaac G. M'Kinley ?

A. I do not know that we are on bad terms. We are now on as good terms as ever we were, as regards myself.

[Here the testimony of Mr. Rehner closed.]

A motion was made by Mr. Penniman,
To adjourn until Monday next at 3 o'clock, P. M.

Mr. Sullivan moved to amend, by inserting "to-morrow at 3 o'clock, P. M."

Mr. Hughes moved to amend the amendment, by inserting "half-past 7 o'clock this evening."

And on the question,

Will the committee agree to the amendment to the amendment?

The yeas and nays were required by Messrs. Hughes and Sullivan, and are as follow, viz :

YEAS—Messrs. Hughes, M'Fadden and Sullivan—3.

NAYS—Messrs. Cooper, Dunlap, Evans, Penniman, Rounfort, Sterigere, Sherwood, and Champneys, *Chairman*—8.

So it was determined in the negative.

Mr. Dunlap moved to amend the amendment, by inserting "Saturday, at 3 o'clock, P. M."

And on the question,

Will the committee agree to the amendment to the amendment?

The yeas and nays were required by Mr. Dunlap and Mr. Sullivan, and are as follow, viz :

YEAS—Messrs. Cooper, Dunlap, Hughes, M'Fadden, Penniman and Sullivan—6.

NAYS—Messrs. Evans, Rounfort, Sterigere, Sherwood, and Champneys, *Chairman*—5.

So it was determined in the affirmative.

Mr M'Fadden moved,

That a subpoena issue to the Hon. Henry A. Muhlenberg, returnable on Monday, the 22d inst. at 3 o'clock, P. M.

And on the question,

Will the committee agree to the motion?

A motion was made by Mr. Penniman,
To lay the motion on the table for the present.

And on the question,

Will the committee agree to the motion?

The yeas and nays were required by Mr. Rounfort and Mr. Sullivan, and are as follow, viz :

YEAS—Messrs. Sullivan, Hughes, Sterigere, Sherwood, Evans and Dunlap—6.

NAYS—Messrs. M'Fadden, Rounfort, Cooper, and Champneys, *Chairman*—4.

So it was determined in the affirmative.

And on the question,

Will the committee agree to the motion, as amended, in relation to adjournment?

A motion was made by Mr. Sterigere,

To strike out "Saturday," and insert "Monday."

And on the question,

Will the committee agree so to amend?

The yeas and nays were required by Messrs. Sullivan and M'Fadden, and are as follow, viz :

YEAS—Messrs. Sterigere, Sherwood, Rounfort, Cooper, Evans, and Champneys, *Chairman*—6.

NAYS—Messrs. M'Fadden, Sullivan, Hughes and Dunlap—4.

So it was determined in the affirmative.

And the motion, as amended, was agreed to.

On motion,

The committee adjourned until Monday next at 3 o'clock, P. M.

SUPREME COURT ROOM, }
Monday, January 22, 1844. }

Committee met pursuant to adjournment.

Present—on part of the Senate, Messrs. Champneys, Penniman, Sullivan, Sterigere and Sherwood, and Messrs. M'Fadden, Dunlap, Rounfort and Evans, on part of the House.

The Chairman laid before the committee a communication signed Samuel D. Patterson, and also an article of agreement signed Samuel D. Patterson, Isaac G. M'Kinley, John B. Bratton, and J. M. G. Lescure, which were referred in the Senate to the joint committee of investigation, and the same were ordered to be entered on the journal :

During the last session of the Legislature, the three democratic papers then existing at the seat of government, the Reporter, Keystone and State Capitol Gazette, were united, and an agreement entered into by the parties, fixing the principles and terms upon which the democratic press thus united should be conducted. On the evening of the day that the agreement was made, I left it enclosed in a sealed envelope, and with the name "S. D. Patterson" endorsed, with B. Champneys, at his room, for safe keeping. A day or two afterwards, some inquiry having been made in reference to the terms of the union, Mr. Champneys requested me to take the paper, which I did, and after leaving him, broke the seal and exhibited the agreement to any members who expressed a desire to see it. When about leaving Harrisburg, I again enclosed it in a sealed envelope and left it with B. Champneys, so that it could be exhibited at any time when any such request should be made. No other paper was left with B. Champneys, nor was he present at any of the negotiations between the parties.

The prevailing sentiment of the democratic party was, that there ought not to be so many papers at the seat of government, and the Union, it was supposed, would meet this wish, and be productive of public utility.

SAMUEL D. PATTERSON.

PHILADELPHIA, *January 20th*, 1844.

I certify the foregoing to be a true copy of the original presented to the Senate.

JOHN J. M'CAHEN, *Clerk of the Senate*.

January 22d, 1844.

It is agreed, this 18th day of March, 1843, between Isaac G. M'Kinley and Joseph M. G. Lescure, proprietors of the "Keystone" establishment, Samuel D. Patterson, proprietor of the establishment of the "Pennsylvania Reporter," and John B. Bratton, proprietor of the establishment of the "State Capitol Gazette," all published in Harrisburg, Pennsylvania, as follows: That in the event of the final passage, by the Legislature, at the present session, of any act establishing the office of State Printer, M'Kinley & Lescure, of the "Keystone," S. D. Patterson, of the "Reporter," and John B. Bratton, of the "State Capitol Gazette," will present their respective applications to a caucus of democratic members; and they, each and all, hereby pledge themselves to abide the decision of that caucus, in making a nomination. That after

such nomination and election shall have been had, the establishments above named, shall be consolidated, and published under a new title, and under the joint control, and in the names of the respective proprietors, each of the parties named, paying an equal proportion of the expenses attending the publication of such paper, and each party also deriving an equal portion of the profits arising from such publication. The paper thus published, shall be edited by a gentleman to be selected by the proprietors. It shall support the regular nominations of the democratic party, and on the Presidential question, maintain a decided Pennsylvania ground; taking good care, up to the time of holding the National Convention, of the interests of Mr. Buchanan, as the Pennsylvania candidate, without pursuing a course in reference to other candidates, which might be regarded in an offensive light, by such candidates, or their friends. After the National Convention is held, the paper is pledged to the cordial support of the nominee of that convention. That, in reference to the existing State Administration, the paper thus to be published, shall give such support as may be consistent with the welfare and interest of the democratic party; nor enter into controversies with journals in this or any other State, in reference to said administration. But, in the event of that administration assuming a ground hostile to Pennsylvania interests, or Pennsylvania's candidate for the Presidency, then this paper shall take a decided stand in opposition to the administration's movements on that question.

It is further agreed between the said parties, that, in addition to putting into the joint stock of the new establishment the several subscription lists of the three newspapers, Isaac G. M'Kinley shall put into the joint stock of the establishment, for the purpose of carrying on its operations, cash or materials, to the amount of twenty-two hundred and fifty dollars. Joseph M. G. Lescure shall, for the same purpose, put into the establishment, in cash or materials, the amount of twenty-two hundred and fifty dollars; and John B. Bratton shall, for the same purpose, put into the joint establishment, cash or materials, to the amount of fifteen hundred dollars. That the business operations of the concern shall be conducted by Isaac G. M'Kinley, Joseph M. G. Lescure, and John B. Bratton, in conjunction with each other; and that all the profits arising therefrom, shall be divided as before specified, into parts, of which Isaac G. M'Kinley, Joseph M. G. Lescure, John B. Bratton, and Samuel D. Patterson, shall each receive an equal proportion. Settlements shall take place quarterly; and the names of the partners of the firm, shall not be used by either of them, for any other than the necessary and legitimate business of the firm.

The names of the proprietors of the joint establishment shall be published in said paper, in the order of the seniority of the several establishments, which are thus to be united.

Should any question arise, involving the course of policy which the paper ought to pursue, the concurrence of three of the proprietors, shall be necessary for its establishment.

This partnership shall continue in force for three years, or the term for which a State Printer is elected, and not be sooner dissolved, unless by the mutual consent of the parties; and should one of the partners desire to retire from the concern, he shall offer to his partners the opportunity of purchasing his interest in the same.

In regard to the question of the next Gubernatorial nomination, the paper to be established under this agreement, shall not interfere, or exercise any influence; leaving it to the action of the regular democratic convention to determine that matter.

The title of the new paper, to be established under this agreement, shall be the "Democratic Union."

ISAAC G. M'KINLEY,
J. B. BRATTON,
SAMUEL D. PATTERSON,
J. M. G. LESCURE.

I certify the above and foregoing to be a true copy of the original, presented to the Senate, January 22, 1844.

JOHN J. M'CAHEN, *Clerk of the Senate.*

Mr. Roumfort moved to proceed to the examination of witnesses, and that Colin M'Curdy be called to the stand.

Mr. M'CURDY being called, he appeared, was sworn, and testified as follows:

The third specification being read by the Chairman, the witness

Ans. I have no personal knowledge of any sum of money or other property paid, or promised to be paid by Isaac G. M'Kinley, or Hutter and Bigler, or either of them, or by any person for them or either of them, to any member or members of the Legislature, or to any other person, to procure the votes of any member or members of the Legislature for the said M'Kinley, or Hutter and Bigler, for the office of State Printer. It may be proper for me to state, however, in order that there may be no misapprehension of my position in the matter under investigation, that I have been informed by a friend—

[Here counsel objected to the witness stating anything of a hear-say character.]

And on the question,

Shall the testimony be admitted?

The yeas and nays were required by Messrs. Sullivan and Penniman, and are as follow, viz:

YEAS—Messrs. M'Fadden, Sullivan, Penniman and Sherwood—4.

NAYS—Messrs. Dunlap, Evans, Roumfort, Sterigere, and Champneys, *Chairman*—5.

So it was determined in the negative.

Mr. Sterigere moved that the witness state the name of the friend alluded to.

Which was agreed to.

Witness. Philo C. Sedgwick, of Harrisburg.

Ques. By Mr. Penniman. What were you informed by Philo C. Sedgwick?

[Here the counsel objected to the question being put.]

And on the question,

Shall the witness answer the interrogatory?

The yeas and nays were required by Messrs. Sullivan and Sterigere, and are as follow, viz:

YEAS—Messrs. M'Fadden, Penniman, Sullivan and Sherwood—4.

NAYS—Messrs. Dunlap, Evans, Roumfort, Sterigere, and Champneys, *Chairman*—5.

So it was determined in the negative.

Witness. I have no further knowledge of the matters contained in the third specification.

The 4th specification being read by the Chairman, the witness answered as follows:

Witness. After the passage of the bill for the election of State Printers, John H. Dimock and myself entered into an agreement, stipulating that he, in the event of his election as State Printer, by the aid of the votes of my political friends, would pay to me fifteen hundred dollars for the benefit of my press, the Pa. Intelligencer. That is all I know of the matters contained in this specification. The agreement was in writing, and there were duplicates of the same. That agreement has since been destroyed. Mr. Dimock called upon me immediately after the election of State Printers, and I handed the agreement to him, and it was destroyed in my presence. I mean the copy left in my possession was destroyed. I have no knowlege of what Mr. Dimock done with his copy.

Q. By Mr. Sullivan. Have you recognized any subsisting arrangement, by which Isaac G. M'Kinley, or either of his partners, is to pay to you or any other person for you, any sum of money, or afford you any advantage in the event of the election of Isaac G. M'Kinley being ratified.

A. In reply to that enquiry, I have expressed myself fully satisfied with the arrangements entered into by Mr. Sedgwick, as communicated to me by him.

Q. By same. Did you communicate to Isaac G. M'Kinley, or either of his partners, the terms of the arrangement as communicated to you by Mr. Sedgwick?

A. I did not, to the best of my knowledge.

Q. By same. Is the arrangement referred to reduced to writing?

A. I have no knowledge on the subject. I never seen any writing.

Q. By same. In what capacity did Mr. Sedgwick act in making this negotiation?

A. He acted originally without communicating with me—as a friend.

Q. By same. What sum of money do you expect to receive in the event of the ratification of the election of Isaac G. M'Kinley?

A. Three thousand dollars. I have been so informed.

Q. By same. In consideration of what do you expect to receive three thousand dollars?

A. I understood it was in consideration of the aid of votes of my political friends. In connexion with that answer, it may be proper for me to say, that I never, in any manner, attempted to influence unduly any member or members of the Legislature, to vote for Mr. M'Kinley as State Printer, nor do I know of any other person having done so.

Q. By same. If you expect to receive the sum of three thousand dollars, in the event of the confirmation of the election of Isaac G. M'Kinley, how does it happen that you never conversed with Mr. M'Kinley on that subject?

A. I have stated the fact that I never did converse with him on that subject. Saw no papers on the subject, but left the matter wholly to the management of Mr. Sedgwick himself.

Q. By same. Are you on intimate terms with Isaac G. M'Kinley?

A. Yes, sir, I am.

Q. By same. Did you not avoid speaking to Mr. M'Kinley on this subject, lest you might be called on to testify?

A. I did not act from any such apprehensions.

Q. By same. Do you know from Isaac G. M'Kinley, or any other member of the firm, having any arrangement with any other person but himself in relation to the public printing?

A. I have no knowledge of any such other arrangements.

Q. By Mr. M'Fadden. Did your friends pretty generally support Mr. M'Kinley for State Printer?

A. Yes, sir. Mr. M'Kinley received a very large support from my political friends, If I mistake not, Mr. Sullivan himself voted for Mr. M'Kinley.

Q. By Mr. Roumfort. When you made the arrangement with John H. Dimock, what reason had you to believe he could be elected?

A. During the pendency of the election for State Printer, Mr. Dimock informed me that I might consult freely with J. Porter Brawley, then a member of the House of Representatives from Crawford county. Mr. Brawley and I, accordingly, in our casual meetings at the capitol, spoke frequently upon this subject; and he told me, upon more than one occasion—

[Here Mr. Sterigere objected to witness stating any thing in the nature of hear-say testimony.]

And on the question,

Shall the testimony be received?

The yeas and nays were required by Messrs. Sullivan and Sherwood, and are as follow, viz :

YEAS—Messrs. M'Fadden, Penniman, Sullivan and Sherwood—4.

NAYS—Messrs. Dunlap, Evans, Roumfort, Sterigere, and Champneys, *Chairman*—5.

So it was determined in the negative.

Witness. I have no further knowledge on this subject. The agreement with Mr. Dimock was first in date. My press and materials were not a part of the consideration of the \$3,000. I have no knowledge of this arrangement extending to the German printing. I had no arrangements with any other person or persons, who were candidates before the Legislature for the office of State Printer. I may state, however, that I had an application from another source, of that character. It was from Mr. Best of the Argus. Mr. Best made no definite proposition to me.

[Here Mr. Sullivan objected to the admission of this testimony.]

And on the question,

Shall the testimony be received?

The yeas and nays were required by Messrs. Sullivan and Champneys, and were as follow, viz:

YEAS—Messrs. Dunlap, Evans, M'Fadden, Penniman, Roumfort, Sullivan, Sterigere and Sherwood—8.

NAY—Mr. Champneys, *Chairman*—1.

So it was determined in the affirmative.

Witness. He desired me, however, to agree to enter into an arrangement with him, and to use my influence to procure the votes of whig members of the Legislature, to vote for him as State Printer. He stated to me, as an inducement to accept his proposition, that Governor Porter was favorable to his election, and would use his influence to effect it. At our first interview, I declined giving him a definite answer, stating that I would answer him definitely on the following morning. On the next morning I declined entering into any negotiations on the subject. It was subsequent to my arrangement with John H. Dimock. It was before the arrangement between Mr. M'Kinley and Mr. Sedgwick. That latter arrangement, I had no information or knowledge of until the day on which Mr. M'Kinley was elected. Mr. Best is the editor of the Argus of this place. I mean Valentine Best. I never used any undue influence with members of the Legislature to vote for Mr. Dimock, or any other person. I may have simply solicited members to vote for Mr. Dimock—I think not for Mr. M'Kinley at all. I cannot say, with any degree of certainty, what whig members I solicited to vote for Mr. Dimock. Among the number, I recollect, were Mr. Robinson of Erie, Mr. M'Daniel of Washington, Mr. E. Joy Morris of Philadelphia. Mr. Musser of Somerset, Mr. Kennedy of Cumberland, Mr. Blair of Huntingdon, and numerous others, whose names I cannot recollect.

Q. By Counsel. Had you any conversation with any democratic members of the Legislature relative to your agreement with Mr. Dimock?

A. I spoke with Mr. Brawley on that subject.

Q. By same. Did Mr. Brawley use any arguments in order to induce you to exercise your influence, and what were they?

[Here the question was objected to by Mr. Sterigere.]

And on the question,

Shall the question be put?

The yeas and nays were required by Messrs. Sullivan and Champneys, and were as follow, viz:

YEAS—Messrs. Dunlap, Evans, M'Fadden, Penniman, Roumfort, Sullivan and Sherwood—7.

NAYS—Messrs. Sterigere and Champneys, *Chairman*—2.

So it was determined in the affirmative.

A. Mr. Brawley told me, upon more than one occasion, that he had frequently conferred with Governor Porter on the subject of the State printing—that the Governor was Mr. Dimock's friend, and anxiously desired his election. That he was doing all in his power to effect it.

Q. By same. Did Mr. Brawley always speak as though he were authorized by the Governor?

A. Mr. Brawley spoke as though he had frequent conversations with the Governor, and that he, the Governor, was privy to all existing arrangements, and that he heartily approved of them.

Q. By same. Did Mr. Brawley hold out the hope or prospect or any advantage to your press, or any advantage personal to yourself, if you would exert yourself, and if so, what?

A. Nothing more than what was to accrue agreeably to the arrangement between Mr. Dimock and myself.

Q. By same. Did John P. Anderson call upon you to make any arrangement, and if so, what?

[Here Mr. Sterigere objected to the question.]

And on the question,

Shall the interrogatory be put?

The yeas and nays were required by Messrs. Sterigere and Champneys, and were as follow, viz :

YEAS—Messrs. Dunlap, Evans, M'Fadden, Penniman, Roumfort, Sullivan and Sherwood—7.

NAYS—Messrs. Sterigere and Champneys, *Chairman*—2.

So it was determined in the affirmative.

A. Mr. Anderson called upon me to receive my answer to the proposition of Mr. Best, made to me—as Mr. Best's agent, I presume.

Q. By same. What office was at that time held by Mr. Anderson?

A. He was clerk to the Canal Commissioners.

Q. By same. Do you know whether he was at that time in the confidence of the Governor, and in the habit of being employed in little delicate commissions of that kind?

A. I have no knowledge of that fact, further than the common rumour attributed to him.

Q. By same. Do you know whether Anderson and Best were partners?

A. I do not, sir.

Examination of Mr. M'Curdy closed.

Mr. M'Fadden moved that Gen. Simon Cameron be called to the stand.

Which was agreed to.

Mr. CAMERON being called, appeared, and was sworn.

The 3d specification being read by the Chairman, the witness answered as follows :

Witness. I think I have no knowledge of any thing in regard to these questions. I must reply to all these matters in the negative.

The 4th specification being read, the witness answered as follows :

Witness. I have no knowledge of anything contained in this specification.

Ques. By Mr. Sullivan. State any knowledge you have, of any arrangements made by any person, tending to secure the election of Isaac G. M'Kinley.

Ans. I was not at Harrisburg during the pendency of the election of I. G. M'Kinley. While Mr. Bratton was the candidate of the democratic party, which lasted several days, I was at Harrisburg the greater part of the time, and felt some interest in the election. During last summer some time, I got in my possession some papers, which probably have some connexion with the election of State Printer. I met Mr. Sedgwick, who asked me to take charge of them, and after hesitating some time, I consented to do so. They were sealed up and put in the vault of the Bank of Middletown. In the autumn, I received another package from Mr. M'Kinley, which I also sealed up along with the others, and put them in the same place. One of them I sealed in the

presence of Mr. M'Kinley and Mr. Sedgwick, the other I sealed up myself. The first package, I believe, contained six notes of five hundred dollars each; and the second, five of the same amount each. I think the first were payable to Mr. Sedgwick, and the second to Theophilus Fenn. I have them endorsed as the property of Mr. Sedgwick and Mr. Fenn. I do not remember what was said at the time. I understood they were to be paid to the whig and antimasonic printers, for their influence in the event of the confirmation of the election of Mr. M'Kinley. I do not remember the dates. The first package I opened—the second, I did not. They are yet in the vaults of the Bank of Middletown. I was served with a subpoena, but I do not recollect whether it was a subpoena *duces tecum* or not. After Mr. M'Kinley's election was ratified, my understanding was, they were to be given up to Mr. Sedgwick and Mr. Fenn. I do not remember that the parties told me what was the consideration of the notes, but I felt very well satisfied in my own mind what the consideration was. I think one of the packages was handed to me in July, the other in September. I know of no arrangements having been entered into in regard to the German printing.

Q. By Counsel. State if you had any conversation with the Governor in relation to the State printing?

A. None in relation to the election of Mr. M'Kinley. The Governor sent for me to come to his house, while the election of Mr. Bratton was pending. I called upon him, and in our interview, he urged me to aid in the defeat of Mr. Bratton's election, which I refused. The principal argument he used was, that Mr. Patterson was an enemy of mine; to which I replied, that it was best not to bear spite, and that it was the interest of the democratic party to have but one press at the seat of government, instead of three. I might also have said that Mr. Dimock was an enemy of his, and had abused him.

Q. By same. Do you recollect of any inducement held out to you by the Governor, at that time, other than the gratification of revenge?

A. I do not, sir.

Q. By Mr. Sterigere. From whom did you receive these invitations to visit the Governor?

A. I think it was from John P. Anderson. It was before the election was decided. I think it was the night previous to the day on which the election was held. I do not know whether these packages contained any other papers except the notes. I have not said how they were signed. Those I looked at were, I think, signed by Isaac G. M'Kinley, or Isaac G. M'Kinley & Company. I think I know Mr. M'Kinley's hand writing. Upon reflection, I think they were signed by Isaac G. M'Kinley. I do not know whether the dates of these notes are anterior or subsequent to the election of State Printer. My recollection is not to be relied upon with regard to the signature of those notes.

Mr. Sullivan moved to suspend the examination of Mr. Cameron, for the present.

Which was agreed to.

Mr. Dunlap moved, that when the committee adjourns, it will adjourn until to-morrow at 3 o'clock, P. M.

Mr. Roumfort moved to amend, by inserting "every afternoon at 3 o'clock, unless otherwise ordered by the committee."

Which was agreed to.

And on motion,

Committee adjourned until to-morrow at 3 P. M.

SUPREME COURT ROOM, }
 Tuesday, January 23, 1844. }

Committee met pursuant to adjournment.

Present—On the part of the Senate, Messrs. Champneys, Hughes, Penniman, Sullivan, Sherwood and Sterigere; and Messrs. M'Fadden, Evans, Rounfort and Dunlap on the part of House of Representatives.

Committee resumed the consideration of the application made last evening by Mr. M'Kinley, for subpoenas to sundry witnesses on part of the defence.

And on the question,

Shall the application be granted?

It was agreed to.

A motion was then made, that subpoenas do not issue to members of the present Legislature, but that they be requested by letter to attend.

Which was agreed to.

A motion was then made by Mr. Sullivan,

That no subpoenas issue to witnesses residing beyond the limits of Dauphin county, until the witnesses now subpoenaed be examined.

And on the question,

Will the committee agree to the motion?

The yeas and nays were required by Messrs. Rounfort and Evans, and are as follow, viz :

YEAS—Messrs. Penniman, Sherwood and Sullivan—3.

NAYS—Messrs. Dunlap, Evans, Hughes, Rounfort, and Champneys, *Chairman*—5.

So it was determined in the negative.

And on the question,

Shall subpoenas issue as requested?

It was agreed to.

On motion of Mr. Sullivan,

The examination of General Cameron was resumed.

GEN. SIMON CAMERON recalled.

Ques. By Mr. Sullivan. State to the committee whether you brought with you the papers and documents deposited with you by Isaac G. M'Kinley, Theophilus Fenn, and P. C. Sedgwick?

Ans. I was not at home to-day, sir. It was snowing, and as I did not feel well, I concluded not to go.

Q. By same. You stated last evening that you wished for time to consider whether you would produce them or not?

A. I have determined in my own mind to bring them here, sealed, and exhibit the package as it is to the committee. The question about opening the package and breaking the seals is to be decided hereafter.

Q. By Mr. Hughes. Do you know from any conversation you have had with any members of the Legislature of 1843, whether they had any knowledge of the existence of the notes and papers described in your testimony of yesterday, or the existence of papers of similar character, at the time they voted for Isaac G. M'Kinley as State Printer?

A. I do not, sir.

A motion was then made by Mr. Sullivan,

That the examination of Gen. Cameron be suspended for the present, and that P. C. Sedgwick be called to the stand to testify.

Which was agreed to.

P. C. SEDGWICK, Esq., being called, he appeared and was sworn.

The third specification being read by Chairman, the witness answered as follows :

Witness. I must reply to this specification in the negative.

Fourth specification being read, &c.

Witness. I must also reply to this specification in the negative. The contract alluded to yesterday by Mr. M'Curdy, between himself and Mr. Dimock, was made during the pendency of the bill providing by law for the election of State Printer, and I think the articles of agreement were at that time signed. While the election of State Printer was pending, and when Mr. Bratton was the candidate of the loco-foco party, an honorable member of the House of Representatives came to me, and said that it was with considerable reluctance—

[Here Mr. Sterigere objected to anything of a hear-say character.]

And on the question,

Shall the witness proceed ?

It was agreed to.

That he and his friends could vote for Mr. Dimock, though he would still do so, if it would promote the interests of the whig press in Harrisburg ; as he said he felt bound on that question to vote to sustain the interests of his party. He suggested to me, however, that some terms or arrangements should be made with Mr. Bratton, to relieve him and his friends from the unpleasant necessity of voting for the candidate of the Governor, and asked me if such arrangements could be easily made. I told him in reply, that there could be no difficulty on that point ; that offers had been made in all directions, and I had no doubt, but that an arrangement might at once be made with Mr. Bratton, much more advantageous than the one already made with Mr. Dimock. I told him, however, that I thought the interests of the whig party would be more advanced by the election of Mr. Dimock, as it might produce an important split in the loco-foco party ; that Gov. Porter, from what I could judge from his public career, would stand to the last by his friends, and that the other section of the party had already drawn their swords upon the Governor. This gentleman admitted the force of this reasoning—

[Here a member of the committee desired witness to name the gentleman referred to.]

Objection being made ;

On the question,

Shall the gentleman be named ?

The yeas and nays were required by Messrs. Rounfort and Evans, and are as follow, viz :

YEAS—MESSRS. Evans, Hughes, M'Fadden, Penniman, Rounfort, Sullivan, Sterigere, Sherwood, and Champneys, *Chairman*—9.

NAY—Mr. Dunlap—1.

So it was determined in the affirmative.

Witness. The name of the member of the Legislature, was the Hon. E. Joy Morris, now a member of Congress from the county of Philadelphia. I repeat he admitted the force of this reasoning, but said there would be a clamor raised, by their still continuing to support Mr. Dimock, the candidate of the Governor. I then replied that I would attend to his suggestion. I went across the Hall of the House of Representatives, where Mr. Bratton was standing, and spoke to him. I asked him if an arrangement could not be made by which the whigs could vote for him, and thus sustain the interest of their press. He said he did not know, perhaps there might, but he thought

the whigs would eventually vote for him at any rate. I told him they would not—they would stand by Mr. Dimock. He thought that was queer, and asked me if there was any contract made with Mr. Dimock? I told him I thought a man with half an eye could see there was something of that kind. He asked me how much Mr. Dimock was to give us. I made no reply, but asked him how much he would give in case he could be elected. He said he had made up his mind to be elected if it was possible—that the Governor should not easily triumph over him, and he asked me how much the *Intelligencer* newspaper wanted? I told him the paper ought to have \$1000 a year, or the sum of \$3000. He said that was too much, that he could not clear it under the bill, and again asked me what Mr. Dimock was to give? I felt very indifferent about it for the moment and was passing away. He said he was determined to be elected, and would accede to the proposition I had made. I proceeded to my table where I report, and drew a little note of about three lines pledging him to those terms, and folded it up and put it in my pocket. I then informed Mr. Morris, and I presume other gentlemen, that they could vote for Mr. Bratton as well as for Mr. Dimock, and as much promote the object they had in view. When Mr. Bratton was dropped, and Mr. M'Kinley became the candidate of that party, I asked him if he acknowledged the same terms I had with Mr. Bratton? He asked me what they were, and I informed him. He said he supposed he should have to do it—that he was in a tight place, &c. This I think to have been on the morning on which the election took place. Immediately before, or after the election, (I don't recollect which,) I saw Mr. M'Kinley in the Senate Chamber. I took out my pencil and a little slip of paper, and he wrote under it "I accede to this proposition." I had not at any time five minutes conversation with Mr. M'Kinley on this subject before his election. My instinct told me that he would rather avoid me in the Halls of either House, and in the presence of his democratic friends; and he did so avoid me. And to my recollection, we had no more conversation on the subject, until the opinion of the Attorney General came out, which was probably some time in May—about the time the Supreme Court was in session. I then suggested to Mr. M'Kinley that this matter should be settled, or fixed in some manner. He said he was willing to do it in any manner I would name. That he would stand fully and honorably to the terms of his contract, but that he could not give over any obligations at that time, as from the course of the Governor, he considered his contract under the election in danger. I saw the difficulty of the case, and let the matter rest, until, I think, the 15th of July. I then suggested to him the plan as indicated in Gen. Cameron's testimony of yesterday. That he should sign sets of notes, payable on time, to be deposited in the hands of some gentleman, in whom we both might have confidence; to be delivered over when all the impediments in the way of his getting the public printing should be removed. He acceded to this, and we agreed to deposit the notes in the hands of Gen. Cameron—he being a gentleman in whom we both had confidence. A few days afterwards, I saw Gen. Cameron in town, and mentioned this matter to him. Gen. Cameron expressed reluctance to take charge of our papers, and have any responsibility placed on him in the matter. I told him that Mr. M'Kinley and myself might not readily agree upon any other person in whose hands we would both be willing to confide the notes. Gen. Cameron said he was going home that day, but would be back in a few days—and that he would consider upon the subject while he was gone. A few days afterwards, I saw him again in town, and Mr. M'Kinley and myself called upon him. The notes had been signed, and Gen. Cameron agreed to take them, and place them in the vaults of the Middletown Bank. They were put up in packages and sealed, as stated by Gen. Cameron in his testimony on yesterday. And that, I believe, is all I know in relation to this subject. These notes were to be given to me by Gen. Cameron, when Mr. M'Kinley would receive the State printing according to his election.

Q. By Mr. Sullivan. Have you any knowledge of certain notes of the same description of these, you were to receive from Mr. M'Kinley, having been given to any other person?

A. I have not, sir.

Q. By same. Have you had any conversation with Theophilus Fenn on this subject, and if so, what he said in relation to having received notes of a similar description to those of Isaac G. M'Kinley?

[Question objected to.]

And on the question,

Shall the witness answer?

The yeas and nays were required by Messrs. Sullivan and Roumfort, and are as follow, viz:

YEAS—Messrs. M'Fadden, Penniman, Sullivan and Sherwood—4.

NAYS—Messrs. Dunlap, Evans, Hughes, Roumfort, Sterigere, and Champneys, *Chairman*—6.

So it was determined in the negative.

Q. By same. What was the consideration of the notes you were to receive?

A. The consideration was not expressed in the notes—they were common negotiable notes.

Q. By same. What was the consideration for which those notes were given?

A. That question is fully answered by my deposition.

Q. By same. Was there any understanding at the time these notes were executed, that the Intelligencer press should take active grounds to prepare public opinion to ratify the election?

A. There was not, sir. I did not contemplate, at that time, that there would be any difficulty whatever of Mr. M'Kinley receiving his confirmation by this Legislature, in pursuance of his election in April last.

Q. By same. Were those notes signed by Isaac G. M'Kinley, or Isaac G. M'Kinley & Co.

A. I think they were signed by Isaac G. M'Kinley, individually.

Q. By Mr. M'Fadden. Did these arrangements extend to the German printing?

A. I never had any conversation with any other person connected with the press, than Mr. Bratton and Mr. M'Kinley, as I have detailed in my testimony, until this present Legislature commenced its session.

Q. By Mr. Hughes. Did you communicate to E. Joy Morris, or to any other whig member, and what other whig member of the last Legislature, the arrangement you had entered into with Mr. Bratton, prior to the election of Mr. M'Kinley.

A. I do not think that I ever communicated the *particulars* of this arrangement to Mr. Morris, and do not think that I communicated it to any other member of the Legislature—it was not necessary, because the current was running towards Mr. M'Kinley—but I did inform Mr. Morris, and other members of the Legislature, that it would be quite as satisfactory to Mr. M'Curdy if Mr. Bratton or Mr. M'Kinley was elected.

Q. By same. Did those members of the Legislature understand why it would be satisfactory to Mr. M'Curdy, if Mr. Bratton or Mr. M'Kinley was elected?

A. I do not know that I spoke to any member of the Legislature but such as I considered of good understanding, and such an one would have no difficulty in the case.

Q. By same. Did those members of the Legislature to whom you spoke, understand, that in the event of the election of Mr. Bratton or Mr. M'Kinley, that Mr. M'Curdy was to receive money or other benefits from the persons elected?

A. I believe they expected that such would be the case.

Q. By same. Do you not know that the money or other benefits to be received by Mr. M'Curdy, or other whig editors of newspapers, was the sole inducement for these members, to whom you have alluded, to vote for Isaac G. M'Kinley?

A. I do not believe that this was the *sole* inducement for their so voting. On the contrary, as I have expressed before, they were rather anxious to vote for an opponent of the Governor's, than to vote for one whom they supposed to be his particular friend. But at the same time, I believe the whig members of that Legislature, were anxious to sustain their friends, and those who devoted themselves to the propagation of whig principles.

Q. By same. Do you know whether any whig members of the last Legislature had entered into any arrangement to vote for John H. Dimoek, and if so, what was that arrangement?

A. I do know that there were several individuals, members of the whig party, who had entered into an arrangement to vote for John H. Dimoek. This arrangement was entered into by word of mouth, in Mr. Dimoek's room. To enable these individuals to satisfy the party generally, they obtained from Mr. Dimoek a pledge. I would not pretend to swear to all the particulars in that pledge. I believe it (the pledge) to be yet in existence. The pledge was general in terms, that he would not sustain Gov. Porter, right or wrong; and at the time of my conversation with Mr. Morris, I referred to this pledge.

Q. By same. Was it any part of the arrangement with John H. Dimoek, that Mr. M'Curdy was to receive any sum of money, or other benefits in the event of his election, and if so, what was that sum of money, or other benefit?

A. It was no part of this arrangement to which I have referred. It was no part of the arrangement with members of the Legislature. But I believe those members of the Legislature knew, that Mr. M'Curdy was to draw from the proceeds of the public printing, if obtained by Mr. Dimoek, 500 dollars a year, or 1,500 dollars for the three years.

Q. By same. Was not this pledge that was given by Mr. Dimoek, and the money or proceeds of the printing to be received by Mr. M'Curdy, from Mr. Dimoek, the sole inducement for those members to whom you have referred, to enter into this arrangement to vote for John H. Dimoek?

A. I do not believe they were. But Mr. Dimoek had sustained in the Pennsylvania Reporter, a newspaper which he had been editing, questions of a local nature, which influenced some of them, and he had tried very hard to tickle the ears of reformers, as they were called, last session.

Q. By Mr. Sterigere. Do you recollect the contents of the pledge to which you have referred, and if so, state them?

A. It is a long time to swear to the contents of the paper. Mr. Dimoek, however, certified in that paper, that he was not a Porter man, and that the charges brought against him, of his being a particular friend of the Governor's, were false, and he believed, circulated for the purpose of injuring him with members of the Legislature, and to defeat his election. The paper was made about the time of the voting. It was after the nomination of Mr. Bratton. I do not know positively in whose hands the paper is, but I heard Mr. Kline, of the Senate, say, the other day, that he thought he had it among his papers. I have no knowledge of the contract, except by witnessing their signatures to the paper. I did not read the article. I asked them the contents, and they stated them to me. I communicated this arrangement with Mr. Dimoek—I feel satisfied I communicated it to a large number of the whig members of the Legislature. I could not state the names of the members particularly—I recollect Mr. Morris, of Philadelphia, and Mr. M'Daniels, of Washington county. I cannot remember any others. I do not think I had any conversation with any other person, than Mr. Morris, but I think I mentioned it to Mr. Brooke; and probably, simply mentioned it to other members, that the interests of the party would be as well subserved by voting for Mr. Bratton, as for Mr. Dimoek; but I thought it would be as well to vote for Mr. Dimoek. I thought it would make an antagonist press to these three papers, (Reporter, Gazette and Keystone,) and which would be likely to throw among them the bones of contention. I will state also, that Mr. Dimoek roomed but a few paces from my room, and I was on intimate terms with him.

Q. By Mr. Sterigere. From your knowledge of the sentiments of the whig members, in your opinion, would they generally have gone upon a final vote for Mr. Dimoek or Mr. Bratton, in the absence of any arrangement you have mentioned?

[Question objected to, and objection sustained.]

Q. By Mr. Penniman. Do you know whether Mr. M'Daniels, and the other whigs who voted for Isaae G. M'Kinley, knew at the time, that in the event of Mr. M'Kin-

ley's election, that Mr. M'Curdy was to receive a certain portion of the profits arising from the office of State Printer?

A. I do not know whether Mr. M'Daniels and the other whigs knew it positively or not; but it seems to me that they could not have been ignorant of it, as this matter was spoken of and charged upon them by the locofocos for several days anterior to the election. Some of them I know stopped their ears, when this matter was the subject of conversation, and said they did not want to hear or know any thing about it.

Q. By Mr. Roumfort. At the time John H. Dimock wrote the paper to which you alluded in your evidence, and in which he protested he was not a friend of Governor Porter's, were the leading friends of the Governor in the Legislature, supporting Mr. Dimock or opposing him?

A. Those members who were supposed to be the most ardent friends of the Governor, were supporting him.

Q. By Counsel. Have you any knowledge of any pledge made by whig members to vote for John H. Dimock?

A. I have not, sir.

Q. By same. How long was the arrangement you have spoken of with Mr. Dimock, made before the arrangement with Mr. M'Kinley?

A. That appears by my testimony. The arrangement with Mr. Dimock, was made while the State Printer bill was pending in the two Houses of the Legislature.—The arrangement with Mr. M'Kinley was made immediately before the election—I think on the day the election took place. There may have been four or six weeks between the two arrangements.

Q. By same. Did not Mr. M'Kinley recognize the arrangement with Mr. Bratton, in the Senate Chamber, immediately after the election of Mr. M'Kinley?

A. I cannot say whether it was after or before or during the time of election.—There were persons in the Senate Chamber, but very few. I had a conversation with Mr. M'Kinley on the same subject in the House of Representatives, as I stated before in the other part of my testimony. The purport of the paper which I witnessed, as I understood, stipulated for Mr. Dimock to pay to Mr. M'Curdy \$500 per annum.

On motion,

The witness was discharged.

A motion was then made by Mr. Roumfort,

That when the committee adjourns, it will adjourn to meet to-morrow at 4 o'clock, P. M.

Which was agreed to.

And the committee adjourned until Wednesday at 4 o'clock, P. M.

SUPREME COURT ROOM,
Wednesday, January 24, 1844. }

Committee met pursuant to adjournment.

Present—On part of the Senate, Messrs. Champneys, Hughes, Sullivan, Penniman and Sherwood; and Messrs. M'Fadden, Cooper, Dunlap, Evans and Roumfort, on part of the House of Representatives.

A motion was made by Mr. Dunlap,

That Theophilus Fenn be called to the stand to testify.

Which was agreed to.

Mr. Fenn being called, d'd not answer.

A motion was then made by Mr. M'Fadden,

That the Sergeant-at-Arms be requested to call upon Mr. Fenn, and request him to attend.

Which was agreed to.

A motion was made by Mr. Sullivan,

That the committee proceed to the examination of Mr. E. P. Hughes.

Which was agreed to.

Mr. HUGHES being called, he appeared, was sworn, and testified as follows:

Third specification being read by Chairman, the witness answered,

Witness. I know of nothing, sir, in reference to that specification.

Fourth specification being read, &c.

Witness. I hardly know how to answer in regard to that specification. Any knowledge I have, is not from the Governor, or any officer of the government, nor from any member of the Legislature. I suppose it will be of the character of hear-say evidence. If the committee direct, I will give the information.

[The committee direct the information to be given as to the names of persons.]

Witness. I received the information from P. C. Sedgwick. My evidence will not differ materially from Mr. Sedgwick's.

On motion, the witness was discharged.

A motion was then made by Mr. Sullivan,

That a subpoena issue to John J. Clyde, returnable forthwith.

Mr. Rounfort moved to amend, by inserting, "that Dr. Seth Salisbury be called to the stand to testify."

Which was not agreed to.

And the question recurring,

Will the committee agree to the motion?

It was agreed to.

A motion was then made by Mr. Penniman,

That the committee proceed to the examination of Dr. Seth Salisbury.

Which was agreed to.

Dr. SALISBURY called, sworn and examined.

Third specification being read, the witness answered as follows:

Witness. I can say to the committee, in regard to each and all of these interrogatories, that I have no knowledge, directly or indirectly.

Fourth specification being read, &c.

Witness. I have no knowledge, sir, of any matters contained in this specification.

Q. By Counsel. Have you had any conversation with the Governor in relation to this State printing, and if so, state what it was?

A. I do not recollect of having any definite conversation with the Governor on that subject.

Q. By Mr. Rounfort. Had you any conversation with any members of the last Legislature on this subject?

A. I had conversations, sir, with some members of the Legislature, while the election was pending. The conversation was of so general a character, that I do not now recollect it. I had a conversation with Mr. Kerr, of Mereer, and Mr. Karns, of Allegheny, and other gentlemen. Pending the election of Mr. M'Kinley, perhaps on the Sabbath prior to the election of Mr. M'Kinley, Mr. Kerr called round at Prince's hotel, and expressed his surprise that I was favoring the election of Mr. M'Kinley to the office of State Printer. He said if Mr. M'Kinley was elected, he would certainly support James Buchanan for the Presidency, and he could not see how such a Johnson man as I was, could go for such a man. I told him I understood that Mr. M'Kinley

would not put the name of any individual at the head of his paper, as a candidate for the Presidency. He remarked in reply, that I was mistaken—that that was part of the contract—he was to put the name of James Buchanan at the head of his paper. That is the sum of the conversation I had with Mr. Kerr. I mean Samuel Kerr, of Mereer. The conversation with Mr. Karns was on the same subject. He expressed himself, perhaps, more warmly. I replied to Mr. Karns, that I always understood him to be a very warm and devoted friend of Mr. Buchanan for the Presidency.

On motion, the witness was discharged.

A motion was made by Mr. Dunlap,

That Theophilus Fenn, Esq., be called to the stand to testify.

Which was agreed to.

Mr. FENN being called, he appeared, was sworn and examined.

Third specification being read, the witness answered:

As far as that interrogatory relates to members of the last Legislature, I have no knowledge of any sum or sums of money, or other property, being paid, or offered to be paid, to any member of the last Legislature.

Fourth specification being read, &c.

Ans. I have no knowledge, personally, of any offer made by Governor Porter. I had no conversation with him on that subject. I am not in his secrets. I have no further answer to make in regard to this specification. Prior to the election of State Printer, last spring, there was a good deal of conversation had by myself amongst my friends, and some with members of the Legislature, upon that subject. In consequence of the division that occurred in the locofoco party, on the subject of the National and State administrations, several of my friends who seemed anxious to turn that division, if they could, to the benefit of the whig and anti-masonic presses in this place, conversed and consulted with me on the subject. There were several propositions entertained, but they all resulted in this: That I agreed to leave the matter entirely in the hands of my friends who lived in Harrisburg, as far as I was concerned; and they agreed, that any arrangement that was entered into on my part, should be entered into by Alexander Ramsey, now a member of Congress, and should be so binding on me. After this I was told by Mr. Ramsey, that in case of the election of Mr. Bratton, I should receive the sum of three thousand dollars. After it was believed by them that Mr. Bratton could not be elected, I was informed by Mr. Ramsey, that a similar arrangement had been entered into on the part of Mr. Dimock—that in case of his election, I should receive three thousand dollars. It may be proper to say here, perhaps, that at the time they had given up the idea of the election of Mr. Bratton, and when I was informed that I could receive the same sum from Mr. Dimock, I objected to it. I said that I had no confidence in Mr. Dimock at all. If he were elected, he would be a mere organ of the Executive, and that I did not want any arrangement on that side of the house, or with that fraction of the party. That the Governor had taken one contract for printing out of my hands, to my injury, and I knew he would not hesitate to break any other contract in which I was concerned or interested, that I would make with any of his friends. The matter rested in this way for several days; I refusing to go into any arrangement with Mr. Dimock; and I think it was on the morning of the last day Mr. Bratton was run as a candidate, Mr. Ramsey, and others of my friends, called on me in company, and told me that Mr. Dimock would certainly be elected that day, and it would be better for me to give in, or else I would get nothing. I told them they might do as they pleased. Mr. Ramsey, in the course of half an hour afterwards, called and told me they had it so fixed that the Governor could not break the contract; but I never saw the contract as I recollect of. After Mr. Bratton ceased to be a candidate, and the friends of Mr. Bratton took up Mr. M'Kinley as their candidate, (that was after the stabbing scrape, I believe,) I understood that an arrangement was entered into, by which, in the event of Mr. M'Kinley's election as State Printer, I should receive two thousand five hundred dollars. I objected to taking less than what I had been offered by the others in case they were elected. I was told more could not be

obtained, and thinking the advice of my friends best, I consented to receive it in case I could get it. In conformity with that arrangement, as I supposed, some time last summer I was consulted on the subject of that arrangement, and the consultation resulted in agreeing that notes of Mr. M'Kinley, to the amount of \$2,500, should be deposited in the vault of the Middletown Bank, or be deposited in the hands of the cashier, and by him to be deposited in the vault of the bank, to await the result of that election. If the election of Mr. M'Kinley was confirmed, and he became the State Printer, according to the Act of Assembly, the notes were to be given to me; if not, they were to be given to Mr. M'Kinley. That is about the sum and substance of the matter.

I have some further knowledge of things that transpired at that time, that probably have a bearing on this question. I recollect some gentlemen called upon me and conversed with me on the subject, prior to the election of State Printer, who I always supposed to be the intimate friends of the Governor. One of them observed to me, that he was authorized to make propositions by the Governor. These gentlemen represented also, that if my political friends in the Legislature, would go in and elect some man that they would designate, I should receive one-half of the profits of the State printing—that the work should be done in my office, and that I should have the superintendence of it. Others said, that if I and the editor of the *Intelligencer* would go together, one-half of the profits or proceeds should be divided between the offices. It would be difficult for me to state the names of the gentlemen. One of the gentlemen who stated to me he was authorized by the Governor to speak to me on the subject, was Henry K. Strong, State Librarian. Other gentlemen spoke to me on the subject, but what each one in particular said, I do not recollect. Mr. Strong said he was authorized by the Governor. He said if I would enter into certain arrangements I should have one-half of the profits. I said if they would elect Mr. Best, I would go in. Some of them said they did not think he could be elected, because he was tinctured with Tylerism, and the loco-focos would not support him. I suppose it might be proper for me to mention another person who seemed to be authorized by the Governor, and spoke as if by authority, and that was Dr. John W. Hammond. He did not tell me he was authorized, but he seemed to talk as if he was. I recollect one expression he made, that was this:—That the Governor said he would rather see me elected State Printer, than the Union men; and I thought if it was so, there was a great revolution in his mind. I wish to say a word in regard to influencing members of the Legislature to vote for Mr. M'Kinley. I never used any improper influence to induce members to vote for Mr. M'Kinley, or for Mr. Bratton. I might have solicited my political friends in both Houses to vote for them. I took the ground, when I urged them to vote for these men, that they were both opposed to the administration of Governor Porter—That the Governor, wielding, as he did, unscrupulously the power and patronage of his office, would be too strong for the branch that had divided off from him—and unless they could obtain the public patronage in this way—and as that patronage would fall into the hands of that party, either on the one side or the other—I believed that it would result most advantageously to the whigs by giving it to the anti-Porter side of the party. I also represented to them, that I believed it would be the means of paralyzing the efforts of the party, for it would give sinews of war to the anti-Porter side, and I knew the Governor would die in the last ditch—that is, he would never give up the fight as long as he remained in the Executive chair. Some of my friends in the Legislature, seemed to be desirous that my interests should be promoted by what they did; and some of them openly said to me, when I spoke to them on the subject, that they would not vote for a loco-foco printer, unless I was to be benefited by it—and some of them never did. I do not think I could now name the persons who made these suggestions. To some of them I said, I was satisfied with my interest in the matter; and by voting for the candidate, they would be doing me a personal favor. I recollect, I think, that Mr. Kline and Mr. Stewart, of the Senate, were members with whom I conversed, and who made these suggestions. I know very well I gave them to understand I had some interest in the matter, and wished them to vote for Mr. M'Kinley. I recollect, also, that I spoke two or three times on the subject, with Mr. Sullivan. He always expressed the kindest feelings, but always said, until

the last day of election, that he should stick to his lowest bidder bill. He expressed himself very well satisfied with the course of my paper on the subject of reform, which he had introduced; and was desirous, he said, of promoting my interest in any way he could.

On the day on which Mr. McKinley was elected, I spoke to Mr. Sullivan at his seat in the Senate, and asked him to vote for Mr. McKinley. He seemed desirous of knowing what arrangements had been made, if any, in regard to the printers. I gave him to understand that the arrangements were satisfactory to me, and I wished him to vote for Mr. McKinley. He said he would consider about it, and I left him. I did not ask him to vote for Hutter and Bigler. I believe he did vote for them, however, and for Mr. McKinley also. But there was no personal promise of reward held out by me either verbally or written to any member of the Legislature, or to any other person, to vote for Mr. McKinley. It may also be proper for me to state, that I believe the whig members of the last Legislature were as honorable a set of men as ever assembled at the Capitol, and as free from being tampered with—I would not except even the present august body. The locofoco's done me no favors or ill-will—I know nothing personal against them.

Q. By Mr. Cooper. Did the gentlemen whom you have named, Mr. Kline, Mr. Stewart, and other members, know you were to receive profits from the printing?

A. I thought they knew it.

Q. By Mr. Sullivan. Were you not active with those members of the Legislature who advocated the lowest bidder bill, in inducing them to vote for Mr. McKinley, because he was most hostile to the Governor, and would visit upon him, perhaps more than any other, opposition for having vetoed the lowest bidder bill?

A. I think I used that argument with them to vote for Mr. McKinley. I was friendly to the lowest bidder bill, and did all I could to effect its passage.

On motion of Mr. Penniman, the witness was discharged.

Counsel for Messrs. McKinley, Hutter and Bigler, asked that subpoenas might issue to Dr. John W. Hammond, and Henry K. Strong, Esq.

Which was agreed to.

And on motion, the committee adjourned until to-morrow, at 3 o'clock, P. M.

SUPREME COURT ROOM, }
Thursday, January 25, 1844. }

Committee met pursuant to adjournment.

Present—On part of the Senate, Messrs. Champneys, Hughes, Penniman, Sullivan, and Sherwood; and Messrs. M'Fadden, Evans, Rounfort, Dunlap, and Cooper, on part of the House of Representatives.

A motion was made by Mr. Sullivan,

That the committee proceed to the examination of witnesses, and that John J. Clyde be called to the stand to testify.

Which was agreed to.

Mr. CLYDE being called, he appeared, and affirmed.

The 3d specification being read by the Chairman, the witness answered as follows:

Witness. I have no knowledge of any money or other property being paid, or promised to be paid by Mr. McKinley, Hutter and Bigler, or any of them, to any member of the Legislature, or to any other person, for the purpose of procuring their votes. That is all I have to say in regard to this interrogatory.

The 4th specification being read, &c.

Witness. I never had any conversation with Gov. Porter on any subject, and I have no knowledge of any matters contained in this interrogatory. On the Sunday preced-

ing the first ballot for State Printer, I was called upon by a gentleman in town, who requested me to call and see John H. Dimock. He told me that he thought I could make an arrangement for the purpose of procuring the folding, stitching and binding, of the public work. I called upon Mr. Dimock, and stated to him my object in calling upon him. [The committee desired him to name the gentleman referred to.] The name of this person was Joseph W. Cake. Mr. Dimock told me that he had promised one-half of the binding to Hickok and Cantine. I told him I was not satisfied, so far as I was concerned, to receive the one-half—I wanted the whole of it. Before I left the room he told me, that if Hickok and Cantine's friends did not vote for him, he would give us the whole of the binding. That ended my conversation with him at that time. The next morning I was met by J. Porter Brawley, as I entered the House of Representatives. He took me behind the Speaker's desk, and asked me how the whig members were going to vote that morning. I told him that I expected they would vote for Mr. Dimock, but that I would try to prevent some of them from doing so if I could. He asked me for my reasons for so doing. I told him that Mr. Dimock would not agree to give me the whole of the stitching and binding. He said he would insure that part of it—that I should have the whole of it if I would allay my opposition to Mr. Dimock. I should have stated, however, that he told me when I was in his, Mr. Dimock's room, that he was to pay Mr. M'Curdy \$2,500.00—that he would give Mr. Fenn \$2,000.00, in order to get the united vote of the whigs and antimasons. Some time after the first ballot, Henry K. Strong and I had a conversation. He told me that if the whigs would agree to it, there could be an arrangement made by which they could receive one-half of the profits of the printing. That the Governor's friends would select the man that they should vote for. I asked him for the name of the individual, but he did not give it to me. I told him I would like to hear the name, I could then tell better probably what might be done. He did not, however, give me the name. After the arrangement with Mr. Dimock was broken up, I left the whole matter in the hands of my friend, Mr. Alexander Ramsey, now a member of Congress. I told him I would be satisfied with any arrangement he would make. He told me he had made an arrangement with Mr. M'Kinley that we should have the *binding* of the public work. I was not satisfied with that altogether, and told him I thought we ought to have the folding and stitching along with it. He said that was all he could do—that Mr. M'Kinley still persisted in having the folding and stitching himself. That is all I know positive of this matter. The arrangement with Mr. Dimock was broken up by some of the whig members being persuaded to go against him.

Q. By Mr. Sullivan. Did any member of the Legislature, or any person for him, come to your office, or meet with you at any place during the past season, and say anything in relation to getting a note or any amount of money he alleged was promised by the firm of Clyde and Williams, or any other person? State your whole knowledge on the subject.

A. No, sir, there was not to my knowledge.

Q. By same. Was any member of the last Legislature in your office and conversed with you on this subject, after the adjournment of the Legislature?

A. There was one member of the Legislature there several times.

Q. By same. State who he was.

A. Mr. Jacob Foreman. We done several jobs of work for him during the summer, and he called there to get them. We had some conversation about the arrangement that had been made the last spring. He asked me if I thought Mr. M'Kinley would give us the binding according to arrangement? I told him I had no reason to doubt it. I think that is about the sum and substance of the conversation I had with him. He never stated to me that he had any claim for services rendered, nor did he state so to any other person in my presenee. I have no personal knowledge of anything of the kind. I have no knowledge of Mr. Foreman and my partner going into a room to converse on this subject. It might be proper for me to add, that I had several conversations with Mr. Cake this fall. He told me that the State Printers' bonds would be rejected, and the law repealed. I told him that I did not believe it would be done; that if it would, it would be given to the lowest bidder, and that it would benefit

nobody. He said that the Governor and his friends did not desire that—that their object was to take it out of the hands of the men that were elected by the last Legislature. He also stated that the Governor would rather see Mr. Fenn have it than those men. I have nothing further to state on this subject.

Q. By Mr. Hughes. What was the consideration for which Mr. M'Kinley was to give you the binding?

A. If he got the whig votes he said he would give us the binding in consideration.

Q. By the same. To which party do you belong?

A. I always voted the whig ticket until last fall, when I voted the split ticket as it is called.

Q. By same. Did you communicate to any member of the last Legislature, before the election of Isaac G. M'Kinley, that you were to have any, and what benefits, in the event of his election?

A. I think I did to some, but to who, I am not certain. I did try to persuade some of the whigs to vote for Mr. M'Kinley. It is impossible for me to name them all—I spoke to a number. Mr. Williams is my partner.

Q. By same. Did your partner ever tell you that he had promised any member of the last Legislature any compensation for his services, or did any member of the last Legislature call upon him for compensation for his services in voting for Isaac G. M'Kinley?

A. He did not, to my knowledge, to vote for Isaac G. M'Kinley. My partner did tell me that he had promised to give Mr. Foreman five hundred dollars, if he would vote for John H. Dimock, and we get the whole of the binding, folding and stitching. That is all I know about that matter. Mr. Foreman refused to vote for Mr. Dimock. I do not know that Mr. Foreman ever did vote for him. I know he persisted in not voting for Mr. Dimock even unto the hour of election. Mr. Edward C. Williams is my partner.

On motion,

The witness was discharged.

A motion was then made by Mr. M'Fadden,

That William F. Packer, Esq. be called to the stand to testify.

Which was agreed to.

Mr. PACKER being called, he appeared, and was sworn :

Third specification being read by Chairman, the witness answered as follows :

Witness. I know of nothing in relation to this first inquiry.

Fourth specification being read, &c.

Witness. I would make the same answer to this second inquiry that I did to the first. I know nothing about it. As a reason why I should know but little about it, having once had an interest in the Keystone, I uniformly avoided interfering with this question of State Printer, last winter. I avoided talking to the Governor and all other persons on the question wherever I could. I could not go heartily with my successors, and I did not desire to go against them—feeling in honor bound not to injure their interest, as they had purchased the establishment from my partners.

Q. By Counsel. Do you know whether any member of the Legislature was ever threatened or menaced by Gov. Porter?

A. I do not, sir.

Q. By same. Were you ever told by any member of the Legislature, that he had been threatened or menaced by the Governor?

A. I do not recollect ever having been told so by any member. The member from my own county, voted for Mr. M'Kinley on the last ballot.

Q. By same. Did the Governor wish you to exert your influence for Mr. Dimock, or against Mr. M'Kinley, and did you refuse?

A. I know the Governor was most decidedly opposed to the election of Mr. M'Kinley, but I do not recollect what efforts he used to induce me to act in relation to the matter. In all his communications with me, he uniformly expressed himself in oppo-

sition to Mr. M'Kinley, and in favor of Mr. Dimock. He never used any improper means to effect the election of Mr. Dimock, or to defeat Mr. M'Kinley, so far as my knowledge extends.

Q. By Mr. Sullivan. At the time of the conversation referred to, had the Governor been informed of the association entered into between the union of the Gazette, Keystone and Reporter, and that one of the articles of association indicated hostility to him in future?

A. I have no distinct recollection of any particular conversation. It is difficult for me to distinguish at this time, the conversations I had with the Governor and others, on that subject; and hence, I cannot answer that question.

Q. By same. State, if up to the time of the formation of that union, Messrs. M'Kinley and Lescure were in the confidence of the Executive?

A. Messrs. M'Kinley and Lescure, I always understood, were in the confidence of the Governor, up until about the period that an article appeared in the Keystone, headed the "Crisis." That was about the time the arrangement was made to associate the papers.

Q. By same. State whether, until about the time this union had been entered into, for some years, Samuel D. Patterson, owner of the Reporter, had not been the open opponent of the Governor.

A. Samuel D. Patterson, had for a long time previously been considered unfriendly to Gov. Porter?

Q. By Counsel. Did not Mr. M'Kinley, long previous to the publication of the piece you alluded to, called the "Crisis," call upon you and inform you, that they could not publish pieces favorable to President Tyler?

A. I have no such recollection.

Q. By same. Were you not informed by Mr. M'Kinley or Lescure, that the Gov. would destroy himself in the course he was pursuing to obtain the appointment of James M. Porter.

A. I do not recollect any such conversation with him.

Q. By same. Did you not have a conversation on this very subject with Mr. M'Kinley in your room, at Nagle's Hotel?

A. If so, I do not recollect it. I have had repeated conversations with Mr. M'Kinley on the subject, since his quarrel with the Governor, but I do not recollect what they were, or when.

Q. By same. Did you have a similar conversation with Mr. M'Kinley in Nagle's setting room?

A. I repeat, I have had repeated conversations with Mr. M'Kinley on this subject; but what they were, or when they were, I cannot tell. I have heard him express sentiments similar to those contained in the questions, but whether they were before or since the difficulty with the Governor, I cannot recollect. I have no knowledge of the Governor using any other means than those of argument and persuasion, to promote the election of Mr. Dimock—nor do I recollect of hearing him speak to members of the Legislature on the subject—he may or may not have done so.

On motion, the witness was discharged.

A motion was then made by Mr. Rounfort,
That Henry K. Strong, Esq., be called to the stand to testify.

Which was agreed to.

HENRY K. STRONG being called, he appeared and affirmed as follows:

The 3d specification being read, the witness

Ans. Not to my knowledge.

The 4th specification being read, &c.

Witness. I know of none, sir. I have no further knowledge of any matters connected with the election of State Printer, unless by hear-say or flying reports. I never had any conversation with any person in which I said that I was authorized by the Governor to make certain propositions.

Ques. By Mr. M'Fadden. Had you any conversation with Theophilus Fenn in relation to this question of State Printer?

A. I have had conversations with Mr. Fenn on this subject of the election of State Printer, and with other persons.

Q. By same. Did you state to Mr. Fenn at the time you were conversing with him in relation to this matter, that you were the agent of Governor Porter, and that you spoke in his behalf?

A. I never did, sir. I had a conversation with Mr. Fenn, I cannot exactly say when, but it was not far from the time of the affray in the House of Representatives, between Mr. Bratton and Mr. M'Gowan. It was at any rate, after several attempts to elect a State Printer had failed. I had been opposed to Mr. Dimock and also to Mr. Bratton, from the impression or belief that it required for that office a man of first rate intelligence, education, integrity and universally known; and who would build up a paper in this Commonwealth of the character of the Albany Argus and Richmond Enquirer, and papers of that calibre; which would be an honor to the State, and a home benefit to advance the future claims of Pennsylvania for the high offices of the nation. Several gentlemen, as well as myself, had been looking around, after fruitless attempts to elect, and believed that such a man might be thought of who would unite a large portion of the democratic party, and a portion of the other. Mr. Fenn's friends had voted for Mr. Bratton, and I called upon him to have his views, and stated to him that from my mingling with the members of the Legislature, I was confident that if his friends would go for such a man, he could be elected. I think I stated this to several other persons. I think Mr. M'Kinley was not then nominated; I am not sure, but I think not. I felt some pride in this matter, as I was the author of the bill to elect a State Printer, with Mr. Petriken, and had some zeal in reference to it.

Q. By Mr. Roumfort. Did you not tell Mr. Fenn, that if his political friends would join the friends of Governor Porter in the election of a person that might be named, that the printing should be done at his office, under his superintendence, and that he should receive one-half of the profits accruing from the State Printing in the English language, or did you not suggest arrangements to that effect?

A. I cannot tell you all that I said, it is so long since; but I am sure I have no recollection of mentioning so particularly the friends of Governor Porter, as I had opposed his candidate, that I heard he was in favor of. But I suppose, however, that if either of the candidates found he could not be elected, that a majority of the members who had been supporting them, might come to the support of a third man. I think I did not mention any third man particularly. I think I mentioned to him as an inducement to come into my views, that some one might be elected who had no office; and as he had a large quantity of type unemployed, he might get the work. I cannot say whether I spoke to him of the friends of Governor Porter or not.

Q. By Mr. Roumfort. Did you in a conversation with Mr. Clyde propose to him that if his political friends would join the friends of Governor Porter in voting for a person that you might name, that he should have the binding and stitching?

A. I do not recollect having told him so. I talked with Mr. Clyde, and might have said so, but I have no recollection of it. It was a very exciting time, and I cannot recollect all that was said.

Q. By same. Had you any promise from any member of the Legislature, or from any officer of the Government, or from any other person, that, provided you would interfere in the State Printer election, you should receive the appointment of State Librarian?

A. Upon my solemn affirmation, I answer in the negative. So far as that question is concerned, the especial friends of Governor Porter voted against me, when I was removed and re-instated; and I was re-instated at the solicitation of Gen. Roumfort and others. In the library there is a petition filed, dated 28th January, 1843, with the names of a large number of the Democratic members of the Legislature, with General Roumfort at the head. I was re-appointed State Librarian on the 18th of April—removed on the 24th of January.

Q. By Counsel. Did you have, within a month or two of the time when Mr. M'Kinley was elected State Printer, any conversation with Theophilus Fenn, with a view to aid John H. Dimock's election as State Printer, or to defeat Isaac G. M'Kinley?

A. To the first part of this interrogatory, with regard to John H. Dimock, I always stated I was opposed to his election. At the last election, when Mr. M'Kinley was elected, I had no particular objections to Mr. M'Kinley personally, but I preferred Mr. Bigler of the Senate; and might have said so, or something like it, to Mr. Fenn, but I don't recollect it.

Q. By same. Do you mean to be understood to say, that you at no time had any conversation with Mr. Fenn, in order to promote the election of John H. Dimock as State Printer, or to defeat Mr. M'Kinley?

A. I say I have no recollection of having had any conversation with Mr. Fenn, in favor of Mr. Dimock.

Q. By same. Had you any conversation with Mr. Fenn, to induce him to aid in the defeat of Mr. M'Kinley?

A. I do not know that I had. I might have had.

Q. By same. Do you know what the testimony of Mr. Fenn was, that he gave yesterday?

A. I do not, sir. Mr. Fenn is mistaken in his evidence so far as my being the agent, or being authorized by the Governor. The statement, in many things, is substantially correct. I have stated all I recollect about it in my testimony. I never was authorized by the Governor to speak on this subject. I have held my situation on the Hill for upwards of two years, and for weeks and months have not spoken with the Governor.

Q. By same. Has at any time any intimation been made to you, that it was the Governor's wish that you should influence Mr. Fenn to promote the election of John H. Dimock?

A. No, sir. I presume no one would ask me that question.

On motion, the witness was discharged.

Mr. Penniman offered the following resolution:

Resolved, That the examination of witnesses before this committee, shall close on Monday next.

And on the question,

Shall the committee proceed to the second reading and consideration of the resolution?

The yeas and nays were required by Messrs. Rounfort and Evans, and are as follow, viz:

YEAS—Messrs. Hughes, M'Fadden, Penniman, Sullivan and Sherwood—5.

NAYS—Messrs. Cooper, Dunlap, Evans, Rounfort, and Champneys, *Chairman*—5.

So it was determined in the negative.

On motion, the committee adjourned until to-morrow at 3 o'clock, P. M.

SUPREME COURT ROOM,
Friday, January 26, 1844. }

Committee met pursuant to adjournment.

Present—on the part of the Senate, Messrs. Champneys, Sullivan, Hughes, Penniman, and Sherwood; and Messrs. M'Fadden, Cooper, Rounfort, Evans, and Dunlap, on the part of the House of Representatives.

On motion,

A subpoena was directed to issue to Edward C. Williams, returnable forthwith.

On motion, it was

Resolved, That the committee proceed to the examination of witnesses, and that John P. Anderson be called to the stand to testify.

Mr. ANDERSON being called, he appeared, and was sworn.

The 3d specification being read, the witness answered as follows :

Witness. I know of nothing contained in this specification.

The 4th specification being read, &c.

Witness. I do not, sir. I have no knowledge of anything in relation to the election of State Printer. I tried, in company with Gen. Cameron, and one or two other gentlemen, to form a combination to run in between them and defeat them both, Mr. M'Kinley and Mr. Dimock. I would not be positive whether it was Mr. M'Kinley or Mr. Bratton. It was between the three. It consisted in nothing more than mere conversation between Mr. M'Curdy, Mr. Fenn, Gen. Cameron and myself. There were various propositions made in conversation. Mr. M'Curdy, I think on that occasion, asked time to consider on the proposition we made to him. I called on him the next morning, and he declined having anything to do with it. There was nothing more done in the matter. We talked about dividing the printing, giving Mr. M'Curdy one-fourth, Mr. Fenn one-fourth, and we taking care of the other half ourselves. I have no further knowledge of the subject, sir. I know of nothing, whatever, in relation to the election of Mr. M'Kinley, or the attempt of Mr. Dimock to obtain the election.

Ques. By Counsel. Who were concerned in that combination beside yourself and Gen. Cameron?

Ans. Mr. M'Curdy, Mr. Fenn, Mr. Best, Gen. Cameron and myself.

Q. By same. Did the Governor, at any time, intimate to you a wish that you would influence members of the Legislature for Mr. Dimock, or against Isaac G. M'Kinley?

A. He did not, sir. I was opposed to Mr. Dimock as well as Mr. M'Kinley.

Q. By same. Do you know that any office, or benefit of any kind, whatever, was ever held out to any member to induce him to vote for Mr. Dimock or against Mr. M'Kinley?

A. I do not, sir.

Q. By same. Have you ever heard the Governor say that Mr. M'Kinley must be defeated?

A. I cannot say that he ever did. He might have said so, for he was very anxious to defeat him, or any member of the firm.

Q. By same. Did you ask Mr. M'Gowan, of the last Legislature, if he would prefer a situation in the Custom House at Philadelphia, to coming back to the Legislature, or something to that effect?

A. Never, sir! nothing of the kind.

On motion,

The witness was discharged.

A motion was then made by Mr. Sullivan,

That Dr. John W. Hammond be called to the stand to testify.

Which was agreed to.

Dr. HAMMOND, called and sworn.

The 3d specification being read, the witness answered as follows :

Witness. In answer to this interrogatory, I say I know nothing about it whatever.

The 4th specification being read, &c.

Witness. To those interrogatories, I would make the same reply. I have no knowledge in regard to this question of State Printer whatever.

Ques. By Mr. M'Fadden. Did you at any time, in any conversation had with Theophilus Fenn, or any other person, state that you were authorized by David R.

Porter, to hold out inducements to them to vote for John H. Dimock, or against Isaac G. M'Kinley?

Ans. I did not, sir. In further corroboration of that fact, I will state that during the last session of the Legislature I was not personally acquainted with David R. Porter, nor was I, to the best of my recollection, up at the Capitol during the whole session of the Legislature. I became personally acquainted with Gov. Porter last summer, then having some business with him; I got a friend of mine to go and introduce me to him. I had never spoken six words in my life to the Governor until last summer.

Q. By Mr. Sullivan. Did you ever tell Theo. Fenn that the Governor said he would rather see him elected State Printer than Mr. M'Kinley?

A. I have no recollection of having told him any thing to that effect. The only conversation I had with him, is what I term random conversation. Two, or three, or four, or five of us, perhaps, would meet together. We would sometimes talk on the subject of State Printer, and as Mr. Fenn and Mr. Strong seemed so anxious about the matter, I was disposed to bore and quiz them. It would be idle for me to attempt to repeat what passed—I could not do it—as I did not charge my memory with it. But certain I am, that David R. Porter never made any communications to me directly or indirectly on the subject.

Q. By same. Did you ever address Theo. Fenn on this subject as if you were speaking by authority from the Governor.

A. I did not, sir. The only time I ever addressed Mr. Fenn on the subject in a serious manner, was when I told him Mr. Strong wished to see him. What he wished to see him about, I know not. I presume it was about the election of State Printer.

[Mr. Fenn's testimony being read to witness, he answered as follows:]

In answer to that part of Mr. Fenn's testimony, I can assure the committee, that I did not open my lips to any member on the subject of State printing. I had no such conversation with Mr. Fenn—he is mistaken in the matter. Mr. Strong requested me to call upon Mr. Fenn, and tell him he wished to see him. Sometimes I had a conversation with Mr. Strong on the subject of State printing. He was opposed to the whole concern. I sometimes asked him why he did not put in for the State printing. He replied that he had not yet matured his ideas on that subject. He said he thought it would be better to have a printing establishment without having any newspaper connected with it.

Q. By Counsel. May you not in some conversation with Mr. Fenn, wherein the State printing was mentioned, have made some such observation, as is alluded to by Mr. Fenn in his testimony, in a jesting way, if you please, without being able to recollect it now?

A. I have just stated that it would be idle for me to state what passed in our random conversations with regard to the election of State Printer.

On motion,

The witness was discharged.

A motion was then made by Mr. Sullivan,

That the committee proceed to the re-examination of Gen. Cameron.

Which was agreed to.

Gen. CAMERON recalled and examined.

Quest. By Mr. Sullivan. Have you produced the papers and documents heretofore mentioned in your testimony?

Ans. I have, sir, and will hand them to the committee with a desire that they should not be opened. They are the papers and documents alluded to in my testimony heretofore given. I have no objection, sir, to the endorsement being read.

[*Endorsement from a sealed paper.*]

“This paper contains six several notes for five hundred dollars each, given by I. G. M'Kinley to P. C. Sedgwick, handed to me July 15, 1843; and five notes of five hundred dollars each, from Mr. M'Kinley to Theo. Fenn, handed to me September 9,

1843. This is the property of Fenn and Sedgwick, to be given to them when they return my receipts, one of which is held by each of them.

“Signed, SIMON CAMERON.”

Q. By Mr. Sullivan. Have you any objection to giving the papers over to the committee for inspection?

A. I have no objection to breaking the seals if the gentlemen who hold my receipts will give the receipts up to me; and I will hand them to the Chairman, if he will give me his receipt. I have no objection to break the seals myself and give the contents of the papers to the Secretary, provided they will permit me to seal them and take them back.

And on the question,

Shall the witness give the information to the Secretary?

It was agreed to?

[Witness opens the package.]

\$500.

HARRISBURG, July 25, 1843.

—— after date I promise to pay to the order of P. C. Sedgwick, five hundred dollars, without defalcation, for value received.

Signed, ISAAC G. M'KINLEY.

There are six precisely alike. There is another paper—an agreement, as follows:

HARRISBURG, July 25, 1843.

Simon Cameron is to receive these six several notes, signed by Isaac G. M'Kinley, dated July 25, 1843, for five hundred dollars each—the time of payment in blank—and whenever the State printing is fixed to a reasonable degree of certainty that Isaac G. M'Kinley gets it, and as soon as Gen. Cameron is satisfied, as a gentleman, that there can be no mistake about it, then he is to fill the blank in the notes with such times of payment as shall make them fall due thereafter in three, six, nine, twelve, fifteen and eighteen months, and shall deliver them over to P. C. Sedgwick, according to our understanding, &c.

N. B. If Mr. M'Kinley shall pay one thousand dollars in cash at the time of delivering them, the balance to be fixed at 6, 12, 18, and 24 months.

Signed, P. C. SEDGWICK,
I. G. M'KINLEY.

Endorsement.

This contains six several notes of five hundred dollars each, which the following copy of a receipt will explain:

HARRISBURG, July 15, 1843.

Received from P. C. Sedgwick and Isaac G. M'Kinley, six several notes, dated July 25, 1843, and signed Isaac G. M'Kinley—the time of payment left in blank—which said notes I agree to deliver to P. C. Sedgwick, when I shall be satisfied that Isaac G. M'Kinley receives the State printing, according to his election in April last—after having the blanks filled with such times of payment, as shall make them fall due every three months after delivery, according to an article of agreement left with him of this date, signed by said M'Kinley and Sedgwick.

Signed, SIMON CAMERON.

Second Package—Endorsement.

This paper contains five several notes of five hundred dollars each, from Isaac G. M'Kinley to Theo. Fenn, conditioned in the same manner, as the agreement with Sedgwick on the opposite side.

Signed, SIMON CAMERON.

September 9, 1843.

HARRISBURG, *September 1, 1843.*

It is hereby agreed between Isaac G. M'Kinley and Theo. Fenn, of the borough of Harrisburg, that Isaac G. M'Kinley place five notes of five hundred dollars each, in the hands of Gen. Cameron, to be held in trust for Theo. Fenn, and to be delivered to said Fenn, whenever the said printing is secured to I. G. M'Kinley, in obedience to the law under which he was elected in April last. And in case said State printing is not secured to Isaac G. M'Kinley, these five notes to be returned by Gen. Cameron, to Isaac G. M'Kinley.

Signed, ISAAC G. M'KINLEY.
THEO. FENN.

\$500.

HARRISBURG, *September 1, 1843.*

Five months after date I promise to pay to Theo. Fenn, or order, five hundred dollars, for value received, without defalcation.

Signed, ISAAC G. M'KINLEY.

The second note is made payable eight months after date.

“ third “ “ “ fourteen “ “ “

“ fourth “ “ “ seventeen “ “ “

“ fifth “ “ “ twenty-four “ “ “

Witness. I cannot tell whose hand writing the notes are in.

[The witness desired to have the testimony of Mr. Anderson read to him, which was agreed to ; and the testimony being read, the witness answered—]

Mr. Anderson has improperly mixed my name up in that transaction. I never called with him on Mr. M'Curdy, or any other person, in relation to the question of State Printer. Previous to the caucus nomination of State Printer, he called upon me in my room in Harrisburg, and made various propositions to me in regard to the public printing, many of them I do not now recollect.

Q. By Counsel. Are you acquainted with the manner of letting out mail and other public contracts at Washington, and if so, state your knowledge in regard to it?

A. Previous to the last fifteen years, I was in the habit of attending the letting of canal contracts in this State, and other places ; and I have attended several mail lettings at Washington city, when I was a director of the Harrisburg railroad company. It was very common to form combinations among the bidders for their mutual advantage.

On motion of Mr. Sullivan,

The witness was discharged.

Mr. Roumfort then moved,

That William Hopkins, Esq. be called to the stand to testify.

Which was agreed to.

Mr. HOPKINS called, affirmed and examined.

Third specification being read, &c.

Witness. I have no personal knowledge whatever, of any arrangement of the kind.

Fourth specification, &c.

Witness. I know nothing of the kind whatever. I think I have no knowledge on the subject of the election of State Printer. There was a great deal said, but for myself I took no part in it whatever. In connection with the subject, it would perhaps be proper for me to state, that in company with several democratic members of the Legislature, it was suggested that some individual in whom the entire democratic party could have confidence, should be selected ; and in connection with it, Mr. Bigler's name of the Senate was mentioned—William F. Coplan of Fayette, and also Adam G. Glossbrenner of York, editor of the York Gazette. I stated that I thought the party could have confidence in either of them.

On motion,

The examination closed.

A motion was then made by Mr. Evans,
That Levi Reynolds, Esq., be called to the stand.

Which was agreed to

Mr. REYNOLDS called, sworn and examined.

Third specification being read, &c.

Witness. None to my knowledge, sir.

Fourth specification, &c.

Witness. Not to my knowledge.

Q. By Counsel. Do you know whether any member of this or any previous Legislature, was ever threatened in any manner by Governor Porter, in order to influence his vote?

A. I do not, sir.

Q. By same. Do you know of any appointment on the canal, or office under the General Government, having been offered to any member of the Legislature, to induce him to vote in a particular manner?

[Witness objected to answer the question in a general sense, or manner. Objection was overruled by the committee, and witness directed to proceed.]

A. I do not, sir. I have no knowledge of it having been done, either in reference to the State Printer question or any other.

Q. By same. Do you know by whom the office of Postmaster at Allegheny city was tendered to Mr. Karns, member of the last Legislature?

A. I do not, sir. I never knew he was an applicant. And the first I heard of his appointment, was, when I arrived at Pittsburg from the west, in the latter part of last June.

Q. By same. Had you any conversation with the Governor on the subject of State Printer?

A. I think I have had general conversations with him on the subject, previous to the election of State Printer, and also since.

Q. By same. Did he express a strong hostility towards Isaac G. M'Kinley, and a determination to defeat his election?

A. I never heard him express any decided hostility to Isaac G. M'Kinley, though I knew he was opposed to his election.

Q. By same. Do you know of any means made use of by the Governor to defeat Mr. M'Kinley as State Printer?

A. I do not, sir.

Q. By same. Did you exercise the influence of your official station to defeat the election of Isaac G. M'Kinley?

A. I most solemnly state that I never did. I will merely go on to state, in corroboration of this, that I had no confidence whatever in the applicants for State Printer, and used no influence whatever to promote their election.

Q. By same. Did you not have frequent conversations with members of the Legislature of 1843, and urge them not to vote for Isaac G. M'Kinley?

A. I think not, although I was unfriendly to Mr. M'Kinley's election.

Q. By same. Did you not solicit T. J. Postlethwaite, a member from Mifflin county, not to vote for Mr. M'Kinley or Mr. Bratton?

A. I recollect very well that on one of the days the Legislature balloted for State Printers—I cannot tell what day—Mr. Postlethwaite was unwell and confined to his room. I visited him in his room, I think, in the afternoon, while the two Houses were in session, balloting for State Printers. I asked him how he was, and whether he was able to go to the House? He said he determined not to go up that day; he was too unwell. He told me that Mr. Lescure had just been in his room, and urged him to go to the House and vote on the subject of printing. He told him that he was unable to go, and that he would not go. He said that Lescure replied very insolently, that he was governed by my wishes on the subject. I told him that he did right in not going out of his room when he was so unwell.

Q. By same. Did you solicit or request him not to vote for Mr. M'Kinley or Mr. Bratton?

A. I did not, sir.

Q. By same. Did you not urge Mr. Glenn of Juniata county, not to vote for Mr. M'Kinley or Mr. Bratton?

A. To the best of my knowledge, I never spoke with Mr. Glenn on the subject of State printing, with a wish that he should vote for any particular person. I do not know of any combination to defeat Mr. M'Kinley's election.

Q. By same. Are you a stockholder in the Harrisburg Argus?

[Witness declined answering, and the committee sustained the objection.]

On motion,

The witness was discharged.

And on motion,

The committee adjourned until to-morrow at 3 o'clock, P. M.

SUPREME COURT ROOM, }
Saturday, January 27, 1844. }

Committee met.

Present—Messrs. Champneys, Sullivan and Sherwood, on part of the Senate, and Messrs. Roumfort, Dunlap and Evans on part of the House of Representatives.

A quorum of members not being present,

On motion of Mr. Dunlap,

The committee adjourned until Monday next, at 3 o'clock, P. M.

SUPREME COURT ROOM, }
Monday, January 29, 1844. }

Committee met pursuant to adjournment.

Present—On part of the Senate, Messrs. Champneys, Sullivan, Hughes, Penniman and Sherwood; and Messrs. M'Fadden, Evans, Roumfort, Dunlap, Cooper and Macmanus, on part of the House of Representatives.

A motion was made by Mr. Sullivan,

That the committee proceed to the examination of witnesses, and that Edward M'Gowan be called to the stand to testify.

Which was agreed to.

Mr. M'GOWAN being called, he appeared, was sworn and examined.

The 3d specification being read, he answered as follows:

Witness. I know nothing as to the matters contained in this interrogatory, and also nothing in relation to any of the matters contained in the fourth interrogatory. I have no knowledge in relation to the election of Isaac G. M'Kinley or any of the others.—I voted for Mr. Bratton twice and then changed my vote for Mr. Dimock.

Ques. By Counsel. Did you ever have any conversation with Governor Porter relative to the election of State Printer?

Ans. I had some conversation with Governor Porter relative to the election of Mr. Dimock. I was at Governor Porter's house one evening, and the election of State Printer came up; and Governor Porter was talking about the ingratitude of Lescure and M'Kinley towards him, and he said of all the candidates he preferred Mr. Dimock. I

told him I had promised Mr. Dimock previous to what was called the caucus nomination. As I was given to understand by Mr. Roumfort and Mr. Penniman that there would be no caucus, I consequently did not go to the caucus at all. I told him I had voted twice for Mr. Bratton, in consequence of a threat made by Mr. Lescure. Mr. Lescure said whoever would go against the caucus nominee would be denounced, ridden down or broken down—I don't remember which—by the papers. But I said that I had voted twice for Mr. Bratton, and that I would vote for Mr. Dimock on the next ballot. I said I would give Mr. Dimock one vote. That is all I can recollect in relation to my conversation with the Governor.

Q. By same. Did Governor Porter or any person for him, ever offer you or any friend of yours, any office or personal benefit or influence in case you would vote for John H. Dimock for State Printer?

A. No, sir.

Q. By same. Did Governor Porter ask you to vote for Mr. Dimock?

A. Yes, sir.

Q. By Mr. Sullivan. When, after you voted for Mr. Dimock, was Mr. Lescure as good as his promise?

A. I don't remember of Mr. Lescure's paper saying anything against me. All the pieces against me appeared in Mr. Bratton's paper, the Gazette. Mr. Lescure's paper was rather more friendly to me than the others.

Q. By Counsel. What inducements did Governor Porter hold out to you to vote for John H. Dimock?

A. He never held out any inducements to me.

Q. By Mr. Hughes. Did Governor Porter ever use any threat or menace either directly or indirectly towards you, in case you would vote for either Bratton, Lescure or M'Kinley?

A. He never did. I never had any conversation with Governor Porter other than that which I have detailed.

Q. By same. Do you know of any attempt on the part of Governor Porter to influence you in any of your official acts?

A. He did not, sir.

Q. By Mr. Dunlap. Do you hold an office under Governor Porter?

A. I do sir. I received the appointment on the first day of December last. It is Superintendent of the State Magazine in the county of Philadelphia.

On motion,

The witness was discharged.

A motion was made by Mr. Hughes,

That Asa Packer, Esq. be called to the stand.

Which was agreed to.

Judge PACKER being called, was sworn and examined.

The 3d specification being read, &c.

Witness. Not to my knowledge, sir.

Fourth specification being read, &c.

Witness. Not to my knowledge, sir. I am not aware that I have any knowledge of any thing that has any bearing on the election of State Printer. There was no question before the House that I took less interest in, than in that.

Q. By Counsel. Were you a member of the Legislature of 1843?

A. I was, sir.

Q. By same. Are you at the present time an Associate Judge of Carbon county?

A. I hold the appointment. I received the appointment some time in November last, I think. I was not promised the office previous to the time I received it. I never had any conversation with the Governor in relation to it, nor any friend for me; nor did I ever consent until the day before the petitions were sent here, although I was applied to early in the season.

Q. by same. Did you ever have any conversation with the Governor on the subject of the State Printing?

A. I will not be positive, but I think I had. I cannot now recollect any part of the conversation. The conversation I had with him was no more than what I had with members of the Legislature.

Q. By same. Did Governor Porter ever intimate to you, or any friend of yours, to your knowledge, that commissioners to locate the county seat of Carbon, of a character acceptable to yourself, should be appointed?

A. He never did, sir. The only conversation I ever had with Governor Porter in connexion with that subject, was in the presence of John S. Gibbons of Lehigh, the day before he left—near the close of the session. Mr. Gibbons and myself had agreed upon persons we would recommend to the Governor to be appointed commissioners to locate the county seat, and we went to the Governor to request their appointment. Those persons were appointed, but not on that day. I afterwards went to see the Governor, and he told me he would appoint them the next day.

Q. By same. Can you fix the time when you and Mr. Gibbons waited upon the Governor?

A. I cannot, sir. It was sometime before the close of the session. It might have been four weeks—it might have been more or less.

Q. By same. Did Governor Porter, or any person for him, send to Mauch Chunk for you, after you had returned home?

A. He did not, sir. I did not leave until the close of the session. At no time did he send for me.

Q. By Mr. Penniman. Did you understand there was to be no caucus for printers, and if so, did you stay away on that account?

A. I understood there was to be no caucus for printers, and agreed with others that I would not attend the caucus, should there be one.

Q. By Counsel. Have you received, or do you expect to receive, any important benefit from the location of the county seat of Carbon?

A. That is a question that I am in doubt about myself. I did expect to receive benefits from its location, if located at a particular point. The county seat of Carbon is located where I wished it. I had no conversation with any members of the Legislature after the caucus nomination, except some general conversation. I had agreed previous to the caucus being held that I would not go into it. The evening before the caucus nomination, I was in Speaker Wright's room, in company with Mr. Roumfort, Mr. John H. Dimock, and I think, Mr. Elwell, and myself. We had a conversation relative to the caucus, and it was then agreed, as I understood it, that we would not go into the caucus. From the conversation, I understood, that those I have named would vote for John H. Dimock. I do not know whether Governor Porter held out any inducements to Gen. Roumfort to vote for Mr. Dimock.

Q. By Counsel. Did you not return home a few days before the adjournment, to remain at home: and did not some person write for you to return?

A. No, sir. I left here for Philadelphia to attend to some business, and I found I could return and stay until the close of the session.

On motion, the witness was discharged.

Mr. Roumfort moved that Richard Bacon be called to the stand to testify.

Which was agreed to.

Mr. Bacon called, sworn and examined.

Third specification being read, &c.

Witness. I do not, sir.

Fourth specification being read, &c.

Witness. I do not know of any. I know nothing further than what Samuel D. Patterson told me, during the first day of the convention. After twice voting for Mr. Bratton, I think there was a motion made to proceed to a third ballot. There was some objection made, in consequence of some contract said to have been entered into by the

printers of Harrisburg. Mr. Patterson came to my desk while that motion was pending, and asked me to go in for a third ballot. I told Mr. Patterson I did not feel altogether satisfied from what I had heard said on the floor, in reference to those bonds, unless I heard the truth of it. I asked him what was the contract. He told me that the State Capitol, Keystone and Reporter, had agreed to unite in one democratic press. I then asked him what Fenn and M'Curdy were to have in this contract. He told me to never mind, but to go in for another ballot—that matter was all right and fixed upon. I then told him I would make up my mind what I intended to do. Mr. Patterson then left my desk and went away. The convention then shortly adjourned, without taking a third ballot. That evening, Mr. Clinton, and some other one of my colleagues—I do not remember which of them—and myself, concluded that Mr. Dimock was not in this contract, or at least we could not hear of it. That he was as good a democrat as any in the party, and we thought we would support him at the next meeting of the convention; and I did support him. I that evening made up my mind to vote for Mr. Dimock, and did so without any influences whatever. There was another reason that induced me to vote for Mr. Dimock, which was this: On the evening the caucus was held, previous to the first day of the convention, my colleagues, Mr. Rounfort, Joseph L. Hancock, and Speaker Wright, came to me, and asked me if I was going into the caucus. I told them I was. Mr. Rounfort advised me not to go, for he thought there was going to be some dirty work there. Likewise, Mr. Wright and Mr. Hancock told me the same thing. I did go up into the caucus meeting, and the first persons I saw was Mr. Rounfort and Mr. Hancock, as I went in. There was not a great many of the members there at that time. I think there was either a motion, or it was talked of, that there was not a sufficient number of the democratic members there to go into a nomination, so as to guarantee the nomination to stand. There was a vote taken, and it carried by a majority of one, to go into a nomination for a candidate for State Printer. Mr. Rounfort declined voting on that ballot, and Mr. Hancock left the room. The vote being taken, there appeared but a few difference between Mr. Lescure, Mr. M'Kinley and Mr. Bratton. As soon as that was ascertained, there were several of the members of the House and Senate came in; and we went into a second ballot, and Mr. Bratton was nominated. Mr. Rounfort voted on that ballot. I then left the room after the nomination, and went down into the Hall of the House of Representatives, and there met Mr. Lescure, and told him that he was defeated. He told me that he was satisfied—that it was all right. He asked me if I had pledged myself to support the nomination. I answered, I had not. He then tried to prevail on me to go up and pledge myself. I told him that I did not intend to do so, and would not support a minority nomination. I then left Mr. Lescure and went home. That is another principal reason why I left Mr. Bratton. I discovered there was something wrong, but did not know where it laid.

Ques. By Counsel. Did you ever have any conversation with Governor Porter relative to the election of John H. Dimock, and if so, state all you know?

Ans. I was at the Governor's house one evening; Mr. M'Gowan and one or two other gentlemen were there at the time. The Governor was holding some discourse to Mr. M'Gowan, relative to the election of State Printer. He said that he thought it was a hard case that he had no printer to sustain him, at the present time, after what he had done for Mr. M'Kinley and Lescure. I forget the principal part of the conversation. He asked me if I was going to continue to support Mr. Bratton. I told him I did not think I would, as I had made up my mind to support Mr. Dimock; and that I had my own reasons for doing so. He asked me if I thought I had nerve enough to stand up and go against the regular nomination. I told him I had nerve enough to vote against anything where I thought there was corruption, and that my constituents would justify me in the act. That is all I can recollect of at present. Governor Porter did not ask me to vote for John H. Dimock.

Q. By same. Did the Governor, or any person for him, ever offer you, or any friend of yours, for you, any office, or personal benefit of any kind?

A. He never did, to my knowledge. What I did do were acts of my own.

Q. By same. Did you ever have any conversation with Hugh Clark, Wm. O. Kline, Peter Rambo, or John Abrams, on the question of the election of State Printer, and if so, what was it?

A. Never at all, sir. They never said anything to me, nor I to them.

Q. By same. Have you not told your friends in Philadelphia, that you had been promoted an office?

A. It is very likely I did, but not from Governor Porter.

Q. By same. From whom then, sir?

[Witness objected to answer—said it was not connected with the State Printer question—and that it was not during the session of the Legislature, but since—that there were no inducements held out to him during the session of the Legislature.]

And on the question,

Shall the witness answer the interrogatory?

The yeas and nays were required by Messrs. Rounfort and Penniman, and are as follow, viz:

YEAS—Messrs. Cooper, Dunlap, Evans, Maemanus, Penniman, Rounfort, Sullivan and Sherwood—8.

NAYS—Messrs. Hughes, M'Fadden, and Champneys, *Chairman*—3.

So it was determined in the affirmative.

Witness. I cannot exactly tell the time. It was not from the individual who had the giving of it. Alderman Hugh Clark was the person who told me. I did not receive the appointment, and do not now expect it. I think it was previous to the last October election. I cannot remember how long previous. I do not know what the office was. I supposed it was to be given to me, if I would do certain favors.

Q. By same. Has the Governor, or any one of his friends, had any conversation or conversations with you in regard to this matter of investigation, since you arrived in Harrisburg?

A. No, sir. No farther than common conversation. I was frequently asked what I came here for. The Governor has not spoken to me, and I don't know who his friends are. Mr. Lescure was one, Mr. M'Gowan, Mr. M'Kinley, and others, I had conversations with. Also, Mr. Prince, Mr. Penniman and others. I cannot recollect at this moment of any other persons.

Q. By same. Did you not write a letter to Mr. M'Gowan, informing him that you would make some disclosures, unless certain things were done?

A. I never did, that I recollect of.

[Here Counsel handed to the chair certain letters.]

Q. By same. State if you know any thing about these letters, and the hand writing?

A. I do not. It is not my hand writing. I know nothing of the hand writing.—They were not written by me.

Q. By Mr. Penniman. What was the conversation you had with me this morning?

A. Nothing more than as to what I know about this matter—which I said I would state when I came before the committee.

On motion,

The witness was discharged.

On motion of Mr. Hughes,

Judge Anson V. Parsons was called to the stand.

Judge PARSONS called, sworn and examined.

Third specification being read, &c.

Witness. I know nothing about it, sir.

Fourth specification being read, &c.

Witness. I know nothing about it, sir. I was not in Harrisburg at the time of Mr. M'Kinley's election. I had removed with my family from this place previous to the election.

Ques. By Counsel. Had you any conversation with Mr. M'Gowan, or Mr. Bacon, in reference to the election of State Printer?

Ans. I never had, sir.

Q. By same. Had you any conversation with the Governor in relation to the election of State Printer?

A. I had a conversation with the Governor on one occasion, and with one or more of the editors of the Keystone. I was absent from this place and in Philadelphia at the time the law was passed. I know of no influence being used by the Governor to influence members of the Legislature, and this conversation had no reference to such influence.

Q. By same. Had you any conversation with Edw. M'Gowan, at Mr. Prince's Hotel, during the pendency of Mr. Bratton's election?

A. I have no recollection of it—I might have had.

On motion, the witness was discharged.

On motion, the Hon. Charles M'Clure was called to the stand.

Mr. M'CLURE being called, he appeared, and was sworn.

The 3d specification being read, &c.

Witness. I have no knowledge that would enable me to answer that question in any other way, but the negative.

The 4th specification being read, &c.

Witness. I must also answer that question in the negative.

Ques. By Counsel. Did you exert any influence in order to promote the election of John H. Dimock, or to defeat the election of Mr. M'Kinley?

Ans. I made use of no improper influences. When I understood that the Governor was favorable to the election of John H. Dimock, I felt a degree of surprise upon receiving the information. I was aware that Mr. Dimock, while one of the editors of the Pennsylvania Reporter, had manifested unfriendly feelings to the Governor. I had been for some years acquainted with Mr. Glossbrenner of York—I felt disposed to see him elected rather than any of the candidates that I had heard named. Previous to the time of meeting Mr. Glossbrenner at this place, I called upon the Governor in the Executive Chamber, with the view of suggesting to him the propriety of using proper efforts to elect Mr. Glossbrenner. This was the first conversation that I had with the Executive relative to the candidate for State Printer. I intimated to him my wish. His reply to me was, Mr. Dimock has already a strength as a candidate, greater than any new candidate that could be brought before the convention. It is something like a choice of two evils with me, between Mr. Bratton—I think was the name mentioned—and Mr. Dimock. We must take the lesser of the two, and support that man who will be able to defeat this band of public plunderers. Our conversation here ceased. It is the first and the longest conversation that I had with his Excellency on this subject. Any other conversations were generally as to conjectures as to the result of the election.

Q. By Counsel. Do you know what was the course of the officers of the government, generally, relative to the promotion of the election of Mr. Dimock?

A. I do not, sir.

Q. By same. Did you meet a caucus of the Governor's friends at Buehler's, and urge them to support Mr. Dimock?

A. I did not, sir. Nor do I know that any caucus of the Governor's friends was held relative to that subject.

Q. By same. Did you show a written agreement to members of the Legislature of 1843, and ask them if they had no friends they desired to serve, by forming a combination to defeat Mr. Bratton?

A. I have no recollection of having done so. I remember to have had a conversation with, I think, Mr. Bailey of York, in which I suggested to him the possibility of electing Mr. Glossbrenner, State Printer. And at a subsequent period, another conversation, perhaps with the same gentleman, in which I informed him that if Mr. Dimock were elected, Mr. Glossbrenner would be his partner; and that it seemed to me to be the

same thing, whether Mr. Glossbrenner or Mr. Dimock was elected. I do not remember of having exhibited any written agreement.

Q. By same. Did you not shew Mr. Bailey a paper containing the names of certain persons you desired to see form a partnership to defeat Mr. Bratton or Mr. M'Kinley, or either?

A. I do not recollect of having shewn any paper of the kind; nor do I remember to have desired the election of any other persons than Mr. Glossbrenner and Mr. Dimock. I never had, to my recollection, a paper in my possession containing such list of names. I may state that an agreement was entered into between Mr. Glossbrenner and Mr. Dimock, by which Mr. Glossbrenner was to be the partner of Mr. Dimock, in the event of his being elected State Printer.

On motion, the witness was discharged.

A motion was then made by Mr. Penniman,
That the examination of witnesses do now close.

Mr. Dunlap moved to amend, by inserting,
That the Committee adjourn until to-morrow at 3 o'clock, P. M.

Which was agreed to; and
The committee adjourned.

SUPREME COURT ROOM, }
Tuesday, January 30, 1844. }

Committee met pursuant to adjournment.

Present—On part of the Senate, Messrs. Champneys, Sullivan, Penniman, Sherwood and Hughes; and Messrs. M'Fadden, Maemanus, Rounfort, Evans, Dunlap and Cooper, on part of the House of Representatives.

A letter was received and laid before the committee, from the Hon. Edward Joy Morris, in which he denied having, at the time of the transactions to which the investigation relates, any knowledge of any aid, in money, the whig press was to receive, in consequence of whig votes for a democratic candidate for printer; and asserting his willingness to be examined on oath, touching his knowledge of the election of State Printer.

Mr. Sullivan moved that the committee proceed to the examination of witnesses, and that John B. Bratton be called to the stand.

Which was agreed to.

Mr. BRATTON being called, he appeared, was affirmed and examined.

Third specification being read, &c.

Witness. I have no knowledge of any sum of money being offered or promised to any member of the Legislature.

Fourth specification being read, &c.

Witness. I have no positive knowledge that there ever was anything of the kind promised by Gov. Porter to any member of the Legislature of 1843. After I had received the caucus nomination of the democratic party last winter, I was told by a number of persons, that I was bound to be defeated; for, they alleged, that the Governor had bribed members of the Legislature to vote against me. I think Mr. Sedgwick was one who told me that the Governor was buying up members to vote against me—

[Witness was interrupted.]

And on the question,

Shall the witness be confined to anything the Governor or members of the Legislature said in relation to their course of action?

It was agreed to.

The witness desired to be permitted to say what the whig editors had told him, in order to justify his conduct in entering into the negotiations alleged against him, of last winter.

Which was not agreed to.

After I had three ballots, I think, for State Printer, I was informed by Mr. Samuel Bigler, at Nagle's hotel, that the Governor wished to see me. I called upon the Governor in the evening, in company with Mr. Bigler, about nine o'clock, I suppose. The Governor then proposed to me that I should join Mr. Dimock's friends in the election of State Printer. He said that if I would do so, he had no doubt but that Mr. Dimock and I together, could be elected. I told him that I was a regular partner of Mr. M'Kinley, Mr. Lescure, and Mr. Patterson. I mentioned to him that we were bound in the agreement to a faithful adherence of the contract—that I could not go in with Mr. Dimock, if I was even disposed to do it. The Governor replied, "that that made no difference—that I should rid myself of them damn'd infernal scoundrels." That was his own language. The Governor complained of the ill-treatment he had received at the hands of Messrs. M'Kinley, Lescure, and Patterson, and he threatened them with destruction in different ways—said that he would make them feel him. This was the evening before the publication of my paper, which I then conducted. Mr. Bigler, who I supposed, thought I was acceding to the Governor's wishes, turned to him and asked him what kind of editorial I should bring out in the morning. The Governor replied, that I should feign indisposition, and have no editorial at all. I think that is the amount of the conversation I had with the Governor. I think I told him I would call and see him again, but I never went back to his house afterwards.

Q. By Mr. Sullivan. Do you know whether the Governor had requested Mr. Bigler to bring you to his house at this time?

A. I have no positive knowledge.

Q. By same. Did you give the Governor to understand that you would go into the arrangement with Mr. Dimock?

A. No, sir.

Q. By same. Did you agree or disagree with the intimation of the Governor, to feign indisposition with regard to the editorial?

A. I made no reply to him.

Q. By same. Did you in any way attempt to influence members of the Legislature to vote for yourself, by intimating to them, that they would not be sustained by their constituents, if they did not sustain the caucus nomination?

A. I have told members of the Legislature, that their course would not be sustained by their constituents. I have no recollection of ever having threatened the Senator from Westmoreland. I had no dispute or quarrel with him that I know of. I may have insisted on him to vote for me, and he insisted on doing as he pleased; but I have no distinct recollection of it.

Q. By Mr. M'Fadden. Are you in any way interested in the proceeds arising from the office of State Printer?

A. Yes, sir. I am one of the partners. I am not on terms of friendship with Gov. Porter, and never was very intimate with him.

Q. By same. Was there any proposition relative to the election of State Printer, made to you by any member of the last Legislature; and if so, please state what that proposition was; and also, the person who made it?

A. I was told by some members of the Legislature—I think Mr. James, of Warren county, was one—who stated to me, that if I would take in a partner, friendly to the State Administration, that I should and would be elected—that those members who were now opposing me, would fall into my support. I think I almost invariably answered these propositions, by stating, that I would not connect myself with a Tyler and Porter man as a partner. I mentioned to some of them, that if they would name a good man, in whom I had confidence as well as Gov. Porter, that I would have no objections to take him into the establishment as a fifth partner. I think I mentioned the Speaker of the Senate, Mr. Bigler, as such a man. After this, I was requested to call

at the room of Dr. Salisbury, at Prince's Hotel, where I met the Dr. and Mr. James of Warren. I think Mr. James and the Dr. urged upon me the necessity of taking in a fifth partner, and Dr. Salisbury mentioned Mr. James, as that man. I stated to them that I would have no objection, if the partner would put in his full share into the establishment—which share, I stated to be eight thousand dollars. Mr. James complained that he was very poor, and could not comply with a proposition of that kind. He spoke frequently of bringing in those members who were opposing me. He made no direct proposition himself to come into the establishment, and I took it for granted, that Dr. Salisbury was acting for him in the matter. The arrangement was not made, however.

Q. By Mr. M'Fadden. Did Mr. James state, that if he was taken into the establishment, he could secure your election?

A. No, sir, he did not.

On motion,

The examination closed, and witness was discharged.

On motion of Mr. Dunlap, it was

Resolved, That the Chairman of the committee of the respective Houses be directed to report the testimony and minutes, taken before the joint committee of investigation, to each House, without any other report.

On motion,

The committee adjourned *sine die*.